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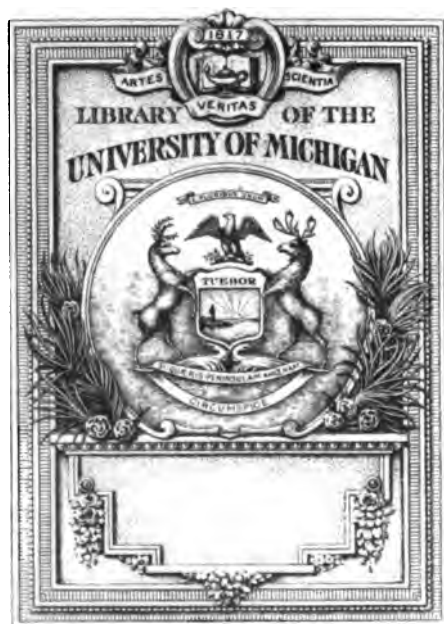
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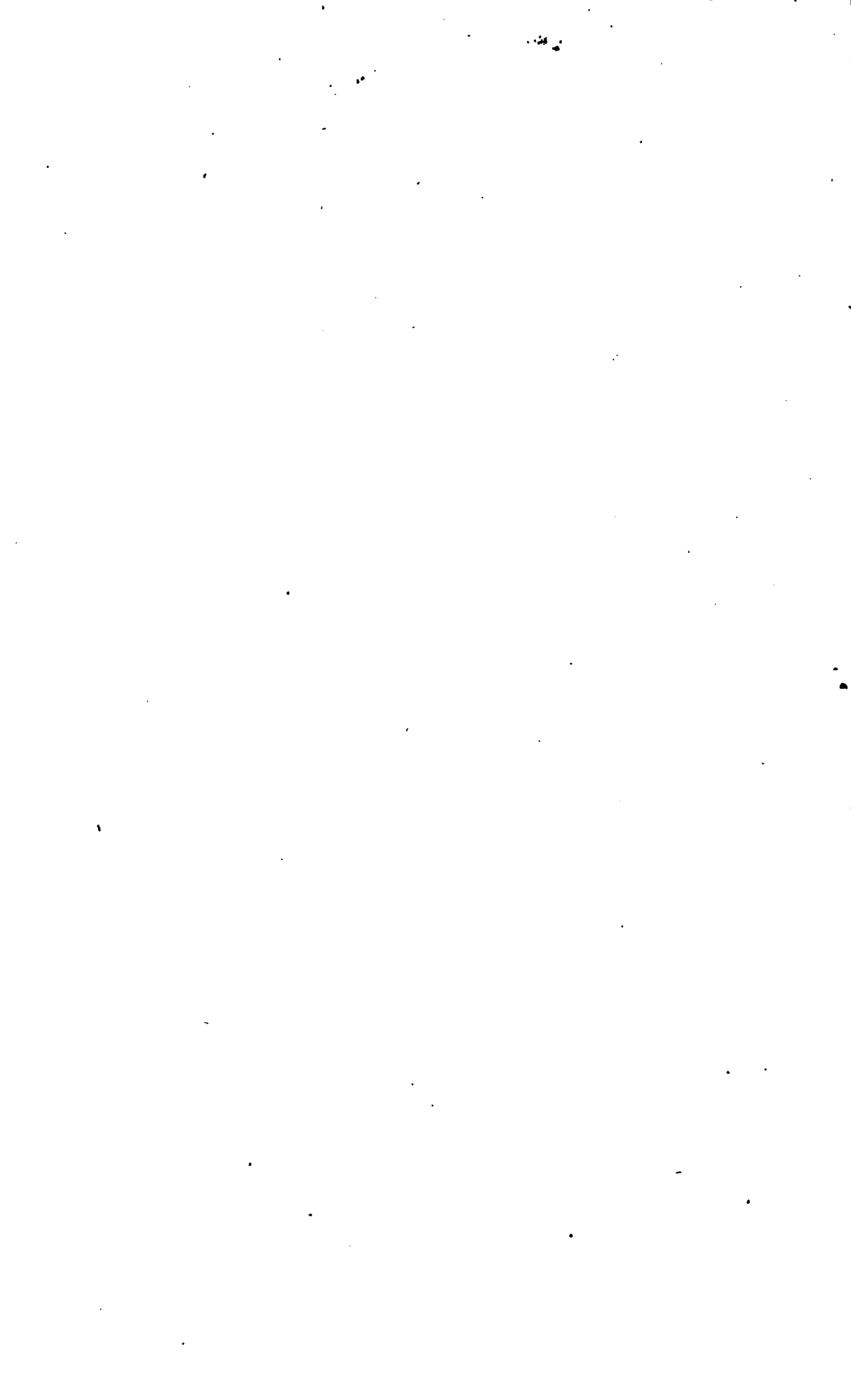
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JOURNAL
OF THE
SENATE
OF THE
STATE OF NEW-YORK,
AT THEIR
SIXTY-NINTH SESSION,

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE
SIXTH DAY OF JANUARY, 1846.



ALBANY:
E. MACK, PRINTER TO THE SENATE.

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1846.

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JOURNAL OF THE SENATE.

STATE OF NEW-YORK;
SENATE CHAMBER IN THE CITY OF ALBANY,
TUESDAY, JANUARY 6, 1846.

PURSUANT to the fourteenth section of the first article of the Constitution of the State of New-York, designating the first Tuesday in January in each year for the time of meeting of the Legislature, his Honor ADDISON GARDINER, Lieutenant-Governor, and the following Senators from the eight Senate districts of this State, appeared in the Senate Chamber, to wit:

From the First Senate District.

John A. Lott,	George Folsom,
David R. Floyd Jones,	Edward Sanford.

From the Second Senate District.

Abraham A. Deyo,	Robert Denniston,
Joshua B. Smith,	Saxton Smith.

From the Third Senate District.

John C. Wright,	John P. Beekman,
Stephen C. Johnson,	William H. Van Schoonhoven.

From the Fourth Senate District.

Thomas B. Mitchell,	Augustus C. Hand,
Orville Clark,	Samuel Young.

From the Fifth Senate District.

Carlos P. Scovil,	Enoch B. Talcott,
Thomas Barlow,	Joshua A. Spencer.

From the Sixth Senate District.

Calvin T. Chamberlain,	George D. Beers,
Clark Burnham,	Thomas J. Wheeler.

From the Seventh Senate District.

John Porter,	Henry J. Sedgwick,
Albert Lester,	Richard H. Williams.

From the Eighth Senate District.

Harvey Putnam,
Frederick F. Backus,

Carlos Emmons,
Gideon Hard.

Prayer by the Rev. Mr. Harrington.

Ordered, That Mr. Beekman and Mr. Spencer wait upon his Excellency the Governor, and inform him that the Senate are convened, and ready to proceed to business.

Ordered, That Mr. Clark and Mr. Folsom wait upon the Assembly with a like message.

On motion of Mr. Scovil,

Resolved, That the Clerk of the Senate furnish to the Lieutenant-Governor and each member of the Senate, such newspapers as they may direct, not exceeding in amount two daily papers.

Mr. Johnson offered the following concurrent resolution which was read and laid on the table, to wit:

Resolved, (if the Assembly concur,) That the joint rules of the Senate and Assembly, which were in force at the last session of the Legislature, be adopted for the government of the two Houses during the present session.

On motion of Mr. Barlow,

Resolved, That the Clerk be directed to invite the clergymen of this city having charge of congregations to open the daily sittings of the Senate with prayer, in such order as may be most convenient to themselves.

On motion of Mr. J. B. Smith,

Resolved, That all committees of the Senate and all joint committees on the part thereof, for the present session be appointed by the President.

On motion of Mr. Emmons,

Resolved, That when the Senate adjourns it will adjourn to meet to-morrow morning at eleven o'clock, and that it will continue to meet at that hour until otherwise ordered.

Mr. Wright offered the following concurrent resolution which was read and laid on the table, to wit:

Resolved, (if the Assembly concur,) That the joint library committee to be appointed under the resolution of April 21, 1840, shall consist of three members of the Senate and five members of the Assembly.

Mr. Beekman reported that Mr. Spencer and himself had waited upon the Governor and delivered the message of the Senate; to which the Governor replied, that as soon as he should receive a similar message from the Assembly, he would transmit a message to both branches of the Legislature.

Mr. Clark reported, that Mr. Folsom and himself had waited upon the Assembly and informed them that the Senate were ready to proceed to business.

A message was received from the Assembly delivered by Mr. Wor-

den and Mr. Ludlow, informing that the Assembly were organized and ready to proceed to business.

Mr. Jones offered the following concurrent resolutions which were read and laid on the table, to wit:

Resolved, (if the Assembly concur,) That this Legislature approve of the course of those of their Senators and Representatives in the Congress of the United States, who have been the firm and consistent supporters of the great measure of the age, the annexation of Texas to the territory of this Union, and who by their timely and energetic action have helped to bring it to an honorable consummation.

Resolved, (if the Assembly concur,) That this Legislature entertain, and now desire to express their unqualified approval of the course and policy of the President of the United States upon the subject of the American claim to Oregon; that our title to the whole of that territory is unquestionable, and that we rely with confidence upon the wisdom and firmness of our popular and patriotic Chief Magistrate, acting upon and practically carrying out the commendable maxim of his lamented predecessor, to demand, as well as to submit to nothing, but what is right, so to dispose of this important question as that the interests and honor of the nation shall be promoted and preserved.

Resolved, (if the Assembly concur,) That our Senators in Congress be instructed, and our Representatives requested, to exert their influence to procure at the earliest possible period the passage of a law, "establishing an Independent Treasury" for the safe-keeping of the public moneys.

Resolved, (if the Assembly concur,) That we are opposed to a National Bank, and that our Senators in Congress be instructed, and our Representatives requested, to oppose the incorporation of such an institution, by whatever name or in whatever form it may be presented.

Resolved, (if the Assembly concur,) That we are opposed to any tariff law whose object shall be protection instead of revenue; that we are in favor either of a repeal of the present law, or such a modification of it as that in case of discrimination and incidental protection, all the great interests of the country, to wit, agriculture, the mechanic arts, commerce and manufactures, may be put upon an equal footing; and that our Senators in Congress be instructed, and our Representatives requested to carry into effect this resolution.

Resolved, (if the Assembly concur,) That the present Chief Magistrate of the United States, in the ability and wisdom with which he has conducted the administration of the government, has fully met the most sanguine expectations of the American people; and this Legislature cannot avoid expressing the high gratification which it feels in having, at this time, at the head of the government, an individual who has the clearness to perceive, the boldness to protect, and the patriotism to preserve and maintain the honor and fame of our beloved country.

Ordered, That the usual number of copies of said resolutions be printed.

Mr. Porter offered the following concurrent resolutions which were read and laid on the table, to wit:

Resolved, (if the Assembly concur,) That the Senators in Congress from this State be instructed, and the Representatives from this State be requested, to aid by their influence and their votes, in procuring the passage of a law for establishing a constitutional treasury for the safe-keeping of the public moneys; and for thus separating the financial affairs of the government from those of banking institutions, according to the views of the President, as expressed in his message.

Resolved, (if the Assembly concur,) That the said Senators be instructed, and the said Representatives be requested, to use their best efforts to secure the establishment of a tariff, in conformity with the principles upon that subject, set forth in the President's message.

And whereas, the title of the United States to the whole of Oregon is clear and unquestionable: yet still, with a view to an amicable arrangement of the conflicting claims of the United States and Great Britain to that territory, our government have repeatedly offered a very liberal proposition, but which has been rejected.

Therefore,

Resolved, (if the Assembly concur,) That although war is a great calamity, yet that a sacrifice of national honor is a greater; and if Great Britain shall still adhere to her unfounded pretensions, and shall make on her part no proposition on the subject of an amicable arrangement, which our government shall deem acceptable, and war shall be the consequence, that the State of New-York will stand side by side with her sister states, in defence of her rights to the Oregon territory. And further, that notice of the termination of the joint occupancy should be promptly given; and that such measures as may be consistent with treaty obligations, and as are necessary for the protection of the rights and interests of the United States, and of their citizens who now are, or may become residents of that territory, or may be emigrating thither, should forthwith be provided by Congress; and that the said Senators be instructed, and the said Representatives be requested, to use their exertions to secure the passage of laws on these subjects, as recommended in the message of the president.

Ordered, That the usual number of copies of said resolutions be printed.

A message from the Governor, delivered by his private secretary, was received and read as follows, to wit:

TO THE SENATE AND ASSEMBLY.

FELLOW-CITIZENS :

We are assembled to perform the highest and most responsible duties pertaining to civil government. Other departments are charged with the administration and execution of the law. Upon the Legislature is devolved the duty of making the law. Its action is the rule of administration and execution. That action is over all

and rests upon all. It binds the conduct of men to the extent of the extreme penalty of human life, and the interests of men to the extent of every thing which can be held as property. The office of the legislator is one of the highest dignity. The trust reposed in him by his constituency, is one of the gravest import. Our ambition should be to discharge this trust well and faithfully, and our expectations of honor should be measured by the strength of our consciousness that sound principles, disinterested intentions, and patriotic impulses govern our acts.

The reflection that we are the mere agents of the people, elected not to serve ourselves but them, should be ever present with us. The great elements of their prosperity are in their hands, not ours. Their own patient industry and careful frugality, and their firm devotion to equal rights and equal laws, are the foundation and the life of our institutions, and are within their own keeping. Laws are necessary to enable them to pursue this industry and enjoy its fruits; to obtain these rights and reap their benefits. Burdens must be imposed upon them and their property to defray the expenses of carrying these laws into effect. These things they cannot well do in person. Hence the delegation of power to us; and the discharge of this agency is the responsible duty upon which we are about to enter. The fewest and simplest laws consistent with the security of the great objects to be attained, and the lightest burdens which their enforcement will permit, must be the best and wisest execution of the trust; the most salutary and acceptable to the constituency, and the most honorable to the representative.

If these simple principles are kept steadily in view, and permitted to govern our action, our duties will be rendered comparatively easy; their performance pleasant, and their discharge beneficial to the public. If we try our measures by the influences they must exert upon the interests and pursuits of all classes of society, and carefully compare every expenditure we authorize with the promises of benefit to the whole people, we shall escape the worst perplexities which are usually attendant upon legislation; avoid the most serious dangers which beset our path; and lay no foundation for the complaints, which most deeply disturb the public mind.

That legislation which equalizes the benefits and burdens of government, extends the same encouragement to the enterprise and industry of all in every situation and employment, and attempts to secure no special privileges to any, will diffuse prosperity throughout a community; because, under such a system of laws, all will feel that the fruits of their industry are justly secured to themselves. On the contrary, attempts to confer favors by law upon classes or localities, produce a competition destructive to profitable industry; a strife, not to earn, but to gain the earnings of others. Such a policy may accumulate wealth in a few hands more rapidly than equal legislation, and may, to the superficial observer, present the greater show of prosperity; but the appearance is artificial and delusive; and is

produced by a forced and unequal distribution of the proceeds of the labor of all. The tendency of this false system is to separate capital from productive labor, and, carried out to its full extent, will produce the singular result, that he who labors least may accumulate most, and he who works the hardest may know the most want.

A choice between these lines of policy, in the discharge of our legislative duties, cannot be difficult, and will not, I trust, be doubtful.

In presenting to you the condition of the State, a reference to its internal peace may well claim the first place.

In my annual message of the last year, it became my unpleasant duty to announce to the Legislature that the public peace had been interrupted, the laws resisted by armed force, and that my predecessor had been compelled to order into service a portion of the militia of the State, to preserve the one and enforce the other. That military force was in the field at the time that communication was made to the Legislature. In that paper I gave at length the character of these disturbances, and, in every form which presented itself to my mind as likely to exert a beneficial influence, appealed to the tenants of the estates, between whom and the landlords of the same estates the controversy nominally existed, to change their course, and withdraw their countenance, their influence, and their contributions of money and means from the desperate men, who were making armed resistance against the laws.

At that time human life had been sacrificed, in two several instances, to the mad spirit of insubordination, and those incidents were referred to as natural fruits of such unlawful violence, and as startling warnings of worse results, if the same spirit continued to be encouraged.

These disturbances, and the proper remedies to be applied to them occupied much of the time of the last Legislature, and among other measures adopted, was a law "To prevent persons appearing disguised and armed." The provisions of this law were so stringent, and its penalties so severe, that the confident hope was indulged of an abandonment of the use of the disguises, the protection of which, as experience had shown, constituted the principal danger. Repeated instances of flagrant outrage had demonstrated that those who would stoop to disguise their persons, in pursuit of an unlawful object, only required to have their confidence in the protection of the disguise sufficiently strengthened, to bring them to the commission of any degree of crime. In other words, the universal principle was illustrated in these proceedings, that crime requires concealment, and that he who dare not, in the open light, look the law in the face, will be emboldened, under the cover of darkness, or the protection of the mask, to outrage its requirements, and strike down its defenceless ministers.

This law had not long been in force, when it became apparent that the hopes entertained of its salutary influence were not to be realized. Confidence in the disguise became stronger than the fear of punish-

ment, and parties of disguised men began to show themselves in the excited districts. The county of Delaware, theretofore comparatively peaceful, became the theatre of more open and active resistance against the officers of the law, than had previously prevailed elsewhere. The assemblages of disguised men were more frequent, more numerous, and their proceedings more daring and desperate, than had characterized the disturbances in any other quarter. So also these lawless outrages and their perpetrators were met in that county, more promptly, firmly and energetically, than they had been before encountered, without the aid of a State military force; and the law-abiding citizens of the county, led on by their civil officers, to their lasting honor, overcame the resisters by their own unaided efforts.

The courts and juries of the county, proved themselves as firm and faithful to the law, as the body of citizens had done, and those arrested in disguise and with arms, were indicted, tried, convicted, and three of the number sentenced to imprisonment in the State prison, each for the term of two years.

These energetic proceedings, appeared, for the time, to have subdued the insurrectionary spirit, as well in the other excited counties, as in Delaware, and again the hope was indulged, that, if excitement had not given place to reflection, and passion to reason, at least it had been seen that the strength of the law, and the love of peace and order in the breasts of our intelligent and patriotic citizens, were too powerful for a resistance of the character attempted, and that further efforts of that description would be abandoned.

In Delaware county nothing transpired, for months, to dispel this pleasing hope, though in the adjoining county of Schoharie, various outrages were committed; the sheriff was forcibly resisted, and was compelled to resort to the provisions of the act of the last session, "to enforce the law and preserve order," and obtain permission to raise a guard to assist him to serve legal process. So in the county of Columbia, several gross outrages were committed upon the rights and property of private persons; and, in the month of May, one of the deputies of the sheriff of that county, while quietly walking in the highway, in company with two assistants, upon his return from executing a writ of possession, was deliberately fired upon by three several persons, from the cover of some bushes near the road, and himself and one of the assistants severely, but not dangerously wounded. He was also fired upon, but without effect, while actually engaged in executing the writ. Every practicable effort has been made to discover and arrest the perpetrators of these outrages, as yet without success.

It was reserved for the ill-fated county of Delaware, however, to bring these mistaken and ill-advised disturbances to open insurrection, and to crown the long catalogue of crime with a cold, deliberate and cruel murder. On the seventh of August, Osman N. Steele, under sheriff of the county, fell, shot to death, from behind the protection of these masks and disguises, in the middle of the day, in the

open field, and while quietly and inoffensively engaged in the discharge of his official duty. Surrounded by some two hundred and forty disguised and armed men and a body of spectators, and with the sheriff and two assistants within a few feet of his person, this faithful officer was murdered, and to this day no one of the actual perpetrators of the bloody deed has been identified.

The investigations before the coroner's jury were protracted and searching almost beyond example, and developed testimony, portions of which were laid before me, and left no doubt upon my mind, that the crisis had arrived contemplated by the Legislature, in the provisions of the nineteenth section of the "Act to enforce the laws and preserve order;" and application having been made, by all the officers named in the section, on the twenty-seventh day of August, I declared, by proclamation, the county of Delaware to be in a state of insurrection, within the provisions and meaning of that law.

Herewith I transmit a copy of that proclamation, which will give to the Legislature the grounds upon which it was issued.

The necessary orders were immediately given, to call into the service of the State three hundred men, to serve as a battalion of light infantry, from one hundred to one hundred and fifty of whom were to serve as mounted men, when the service should call for such force.

The annual report of the Adjutant-General, herewith transmitted, will show more in detail the facts in relation to this force and its organization; and it, and the annual report of the Comptroller, will give the plan adopted to subsist the men and the horses, and the entire expense to the State for the pay and subsistence of the battalion.

No instance of resistance was experienced in the whole course of the service of this force, although it was assiduously employed to aid in the execution of civil as well as criminal process, and in the general execution of the law; the collection of the rents in arrear being a prominent part of the duty performed.

The arrests made by the sheriff and his officers, with the aid first of the civil, and subsequently of the military posse, were very numerous, reaching considerably beyond one hundred. Some thirty only of these, however, were persons charged with being present at, or parties to, the murder, the residue being in custody for minor offences, growing out of the previous disturbances in that county. An impression has prevailed, to some extent at least, that persons implicated in the transaction, out of which this murder proceeded, were, by the court of oyer and terminer, merely punished by the imposition of a fine. This is a mistake. All of those so punished were charged with, and plead guilty to offences previously committed, and no one implicated in the murder, who was sentenced at all, received less punishment than imprisonment for seven years in the State prison. Some, who pleaded guilty to the charge of manslaughter in the lower degrees, were liberated upon recognizances, and not sentenced at all,

the sentences having been suspended. This mistake is corrected, to prevent misapprehension as to the proceedings of that court, and to do justice to its members.

About ninety persons, supposed to be identified as present at the time, armed and disguised and engaged in resisting the sheriff, were indicted for the murder. Of this number, little more than one-third were arrested. All these were discharged from the jail in the manner already well known to the public, except the two men convicted and sentenced to be executed. The residue of the persons so indicted are at large, having hitherto evaded the service of process, together with the still larger number not yet identified. Among these are supposed to be most, or all, of the principal leaders, and of those who actually fired upon the lamented Steeles, on that fatal occasion.

The sentences of the men convicted of the murder have been, by me, commuted for the punishment of imprisonment in the State prison for the terms of their natural lives. The grounds of my interference were set forth in a letter to the sheriff, a copy of which is herewith transmitted.

As soon as it was supposed time had been allowed to restore a reasonable degree of calmness to the public mind, the Adjutant-General was directed to visit Delaware, and make inquiries and examinations, with a view to the revocation of the proclamation declaring the county to be in a state of insurrection, and the final discharge of the military force in the service of the State.

Upon consultation, in this way, with the public authorities, civil and military, and with various prominent citizens of the county, the conclusion was formed that the time had arrived, when these steps would probably be consistent with the public security, and might be calculated to allay irritation and promote the restoration of harmony and quiet to this distracted society. Accordingly, the proclamation of the 27th of August was revoked by a proclamation dated on the 18th of December; to take effect after the 22d of that month, a copy of which is herewith transmitted. The necessary orders were, simultaneously, issued for the discharge of the military force, on the same day.

It is due to the officers and men of the battalion to say, that the order and energy, the willing obedience and prompt and unpretending execution of duty, which have signalized their entire service, have entitled all to the highest praise. The vigilance and discretion of the officers, and the steady fidelity of the men, prove that the latter were well commanded, and the former well served; and demonstrate that the peace of the State, and the execution of its laws, are both safe in the patriotic hands of its citizen soldiery.

No indications of a disposition to interrupt the peace of this county have reached me, since these transactions.

The opinion is now very generally entertained that the scenes of violence and armed resistance to the laws have terminated; that the

disguises have been permanently discarded ; and that, hereafter, legal and constitutional modes of redress for the grievances supposed to exist, will alone be attempted.

Indications of a disposition to keep up the excitement, and even the insurrectionary proceedings, continue to be manifested in individual cases ; but it is to be hoped that such indications are confined to those who have made it their vocation to kindle these disturbances and whose only interest in them has been the personal advantages to themselves from their existence. Hitherto the confiding tenants have listened to such advisers, not seeing, nor suspecting, the selfish impulses of interest and ambition, which prompted counsel so apparently patriotically given, until a severe experience has shown them the disastrous results of their misplaced confidence. Upon some, who were industrious, quiet and thrifty farmers, it has brought ignominious punishment, and perpetual incarceration, in the company of felons. Others, who held like standing, it has banished from their families and their homes, and made fugitives from that justice they were taught to spurn, for the sake of following these false guides upon what was represented by them as a shorter and surer road to a redress of their alleged grievances. To all it has brought loss of property ; angry and embittered feuds, in the place of peaceful social relations, and anxiety, apprehension and distrust, to poison the happiness of the domestic fireside. These are some of the fruits which have been realized from following designing and selfish counsellors ; and when these tenants shall attempt to resort to the legal and constitutional modes of redress, which they now propose, they will find that there too these pretended friends have least acted the part of friends to them ; and that these appeals, even if right and proper in themselves, have received nothing but prejudice from such interference.

In my former communication to the Legislature upon this subject, I stated that I considered myself precluded from discussing, or even considering the real merits of the differences existing between the landlords and the tenants, by the violent and criminal conduct of those who assumed to act for the latter, and in their name, and apparently by their approbation ; and who had changed the issue to one between sustaining the law, preserving the public peace, and protecting the rights and lives of unoffending citizens on the one side, and armed resistance against the law, wanton disturbances of the peace, and aggravated trespasses on the rights and lives of individuals, on the other.

Assuming, what I hope time may prove, that these violent proceedings have terminated, and that, hereafter, only constitutional and lawful appeals for redress are to be made, the points really presented for public action, become proper subjects for inquiry and discussion.

The change of the tenures from leasehold to fee simple estates, I have ever understood, and supposed to be, the great object of desire on the part of the tenants. The odious character, and evil influ-

ences, of the leasehold tenures, have certainly formed the great burden of the complaints which have reached me ; and I have labored under a false impression, if, at the commencement, the avowed object was not this change. This, it seemed to be well understood and conceded, must be reached by contract and compromise between the landlord and tenant, and that no power possessed by the State could so change the existing contracts, while the Constitution of the United States remained in force.

If my present information be correct, that point has been substantially reached, so far as the landlords are concerned. They, I believe, with very few exceptions, avow their readiness to commute the titles, and to enter into negotiations with their respective tenants for that purpose. Some of them have gone so far as to give to the public the terms upon which they will commute, or upon which they will open negotiations for that object ; and in many cases, which have come to my knowledge, these terms appear to be such as, in all fairness, require on the part of the tenants, a corresponding advance towards a compromise. I do not say that the precise terms should be accepted ; but I think I speak no more than the judgment of the great mass of our constituents, when I say that they are propositions which ought to be received as the basis of mutual negotiations.

Assuming the continuance of the leases, another ground of complaint on the part of the tenants is the distress for rent, which it is claimed should be abolished. This the Legislature has the unquestioned power to do prospectively ; and I do not suppose the right to do it retrospectively will be contended for, where the remedy by distress is secured by the covenants in the lease. A change of the law thus affecting a subsisting contract is held, as I believe, by the highest judicial authority in the country, not merely to affect the remedy, but to impair the obligation of the contract itself. Considered, therefore, in a prospective light only, I cannot perceive that this change of the law can be seriously detrimental to lessors, and especially of farming lands. Their security for ultimate payment is always to be found in the improvements upon the land. It would doubtless, to a considerable extent, affect the leasing of houses and other tenements in cities and villages, where deterioration rather than improvement to the property is the consequence of the use ; but whether the effect would be most to the disadvantage of the landlord, or tenant, is very questionable.

The remedy by distress especially when applied to farms, is so inseparably connected with the leasehold tenures, as to partake of their unpopularity, and it may be wise, in reference to this description of property, to abolish it prospectively, as it may the tenures themselves, as applicable to agricultural lands. This mode of collecting the rent, is said to be too summary for the safety of the farmer, while, on the other hand, it is alleged that, although summary, it is the least expensive process for the collection of an admitted and liquidated debt. It is also added that the non-payment of

the rent must be a forfeiture of the lease, entitling the landlord to re-enter and re-possess himself of the land with the improvements, and if the remedy by distress be taken from him, he will avail himself of this more severe, though more protracted, redress. A sufficient answer to this argument is that, as the improvements upon the land must always be ample security to the landlord for his rent, where farms are leased in this manner, the change of the law cannot injure him ; and if a valuable public good can be accomplished by it, and the tenant, who is the other party in immediate interest, desires the change at this risk, the landlord would seem to have no reasonable ground for complaint or opposition.

A still further complaint made by the tenants is that an inequality of taxation exists in favor of the landlords of these leasehold estates, unjust to the people of the whole State, in reference to the collection of a general tax, and particularly unjust to the people of the counties where the estates are situate, in reference to the taxes annually assessed to pay town and county expenses. The ground assumed, if I understand it, is that the rents are, in effect the interest upon a capital invested by the landlord and secured upon the land, which capital is as proper an object of taxation as money secured by bond and mortgage, or by contract for the sale of lands. In other words, it is assumed that conveying lands by durable leases, is a mode of sale, in effect, by which the seller, instead of stipulating that the purchase money shall be paid within a specified time, requires that it shall forever remain invested in, and secured upon the land, and that the interest upon that purchase money shall be annually paid to him as rent. If the same terms of sale were carried into effect by a deed from the seller, and a mortgage from the purchaser, the law would tax the capital secured by the mortgage in the hands of the seller, while the land would be taxed as the property of the purchaser. In these cases, the law taxes the lands to the tenants who occupy them ; and still it is said the capital secured to the landlord by the lease, and which produces to him his interest, under the name of rent, as the mortgage secures to the seller the capital which produces his income, under the name of interest, is not reached by the law, and is not taxed at all, although there is no difference in principle, public policy, or substantial justice, between the two cases.

There appears to be force and truth in this position. The place and manner of assessing such capital may be matter of more difficulty and more question. The money due upon mortgages, contracts, notes, and the like, is assessed to the holder of the securities, at the place of his residence, and the tax is payable in his town or ward ; while the complaint urged in this case implies the opinion that the leases should be assessed, and the tax paid, in the town or ward where the lands are situate. This would be the introduction of a new principle in reference to the assessment of personal property of resident citizens ; but the expediency of adopting it, and the mode of carrying

it out, are matters of detail, appropriately belonging to legislation, in case the tax itself is imposed.

A report from the Comptroller to the House of Assembly, upon this subject, was made on the 16th of April last, in obedience to a call from the Assembly of 1844. In this document the whole subject is discussed with clearness and force. I respectfully refer the Legislature to it, as presenting considerations upon this point, which appear to me to be sound in principle, and practical in detail.

A suggestion has been frequently made, in connection with the troubles arising from these tenures, the adoption of which I suppose to be within the unquestioned power of the Legislature, although I am not aware that it has been urged by the tenants upon the existing leasehold estates. It is that a law should be passed to prohibit, for the future, this form of selling farming lands, by declaring that no lease for such lands, for a longer term than five, or ten years, or some other short period, shall be valid. It is entirely apparent, notwithstanding the very unwarrantable character of the late disturbances upon the leasehold estates, that these tenures are not in accordance with the spirit of our institutions, or with the feelings of that portion of our people in no way interested in the disturbances, or in the relations out of which they have grown. Such is manifestly the settled state of the public mind upon this point, that the multiplication, or material extension of leasehold estates, would be looked upon as a public evil, threatening more wide spread and serious disturbances than those which have recently interrupted our internal peace. If, therefore, there be no obstacle in principle, and none presents itself to my mind, may it not be well for the Legislature to put at rest any apprehension of this sort, by the passage of such a law? I should hope for salutary influences from such legislation upon the existing estates. I think it would have a tendency to confirm, in the minds of the landlords, their present inclination to commute the leasehold titles, and would operate strongly upon the tenants, to induce them to accept fair terms of commutation, and discharge themselves at as early a day as possible, from an objectionable system of tenures thus confined to them.

I am not aware that it will be necessary to call upon you for any further provisions of law, in reference to the suppression of these disturbances, if they should again arise, as it is to be earnestly hoped they will not. The provisions of the two laws passed by the last legislature, which have been before referred to, the first "to prevent persons appearing disguised and armed," and the second "to enforce the laws and preserve order," have been very effective, when energetically and faithfully resorted to, and appear to me to be sufficient to secure the enforcement of the law and the preservation of order, so far as legislative enactments can do it. There is some complaint that the last named act throws too heavy a burden upon the county, and especially in expense, before the power of the State can be invoked. This is a point upon which the last Legislature deliberated carefully,

and yet experience, subsequent to its action, may have furnished satisfactory evidence that there is justice in the complaint. It is a point of the first importance in enforcing the law, as, unless the power of the county shall be faithfully exerted, the authorities of the State cannot interfere ; and if the pecuniary burden upon the county is likely to be so great as to discourage effort and embarrass the sheriff in obtaining a sufficient posse, the effect might be dangerous. On the other hand, if the resort to the power of the state is made too easy, that will discourage effort in the county, that all the expense may be transferred to the State. The subject, therefore, is one demanding careful action, and is respectfully presented to your consideration, in case a change of the existing law should be urged.

The expenses upon the county of Delaware have been very heavy, and I am advised that an application will be made to the Legislature for relief. It may be that a distinction can properly be made between the expenses incurred by that county, after the insurrection existed in fact, and before it was declared to exist by proclamation so as to authorize the interposition of a state military force. It is proper to inform the Legislature that I was absent from the Capital, at the time of the outbreak and murder, and agents sent by the civil authorities of the county to invoke my action were delayed several days to await my return ; after which time considerable further delay was occasioned, to enable them to return and furnish to me evidence of the facts alleged to exist, but without the evidence of which I did not feel authorized to make so responsible a declaration. From these causes twenty days intervened between the insurrectionary assemblage and the proclamation, and during all that time, as I am informed and believe, the sheriff was employing a very large mounted posse, and results showed that it was very energetically and efficiently employed. It was the developments consequent upon these exertions, exhibiting the fact that insurrection did exist on the 7th of August, which laid the foundation for proclaiming its existence in conformity to law ; but the interposition of the State could not be retrospective, and therefore the expense of preserving the peace, sustaining the law, and apprehending the guilty, during these twenty days, was thrown exclusively upon the county.

According to the requirement of the Constitution, a census of the people of the State has been taken, during the last year, in conformity to the provisions of the law of the last session, directing the manner of taking it. The returns have all been made to the office of the Secretary of State, and the report of that officer will, at an early day in your session, place the results before you.

The entire population of the State is shown to be 2,604,495, being an increase, since the census of 1840, taken in obedience to the Constitution and laws of the United States, of 183,574, a little more than seven and a half per cent. for the five years. This is a rate of increase much less than has marked the growth of our population, for the previous portions of the present century ; and shows that

emigration from the State is much greater than to it. The enumeration was taken as of the first day of July. The number of births in the State, during the year ending on that day, was 89,755, and the number of deaths 36,284; thus showing an increase of the births, over the deaths, in a single year, of 53,471. This ratio of increase, for the five years, would have added to our population more than 70,000 souls beyond the present actual number; which simple comparison establishes two important facts, 1st. That the natural increase of the population is healthful and rapid, and 2nd. That the emigration from the State is greater by from 10,000 to 15,000 annually than the emigration to it. Another fact appearing upon the face of the census shows the description of this emigration. It is, that the increase of population is confined principally to the cities and large villages, thus proving that the great body of the emigration from the State is from the agricultural districts. The increase of population, for the five years, in the four cities of New-York, Brooklyn, Albany and Buffalo, makes an aggregate of 147,767.

The number of persons liable to do military duty is 228,292, and the number of persons entitled to vote for all officers elective by the people is 539,379.

The statistics of the productions of agriculture and manufactures are very full, and cannot fail to possess great interest. They will receive too careful an examination at your hands, to require the brief reference to them here, which this communication will permit. The improved land in the State averages a trifle more than four and a half acres to each soul, and there is produced from it, of wheat, corn, rye and buckwheat, bread stuffs proper, according to our classification, a fraction less than thirteen and one-third bushels to each individual of the population; of barley and oats, a fraction less than eleven and one-third bushels; of beans and peas, about three-fourths of a bushel; and of potatoes and turnips, they being the only articles given of the root crops, a fraction more than nine and a half bushels. The milch cows are more than one to three persons, and the butter and cheese, together, average more than forty pounds to each person. The neat cattle are very nearly one to each soul, and the hogs more than one to two persons. The wool and flax produced are a little less than six and a half pounds to a person, and the cloth manufactured, in families and in factories, is more than seventeen yards to each soul.

A population, whose own industry produces this amount annually of the necessities and comforts of life, and affords such a surplus for exchange, may truly be said to hold the great elements of its independence and prosperity in its own hands; neither of which can be destroyed, or dangerously impaired, while such a ratio of productive industry is directed by virtuous and patriotic impulses, strengthened by the universal diffusion of education.

The law of the last session directed the Secretary of State to appoint marshals to take a census of "the Indians residing on the several reservations in this State, with such statistical information as

it should be in their power to collect, and as the Secretary should prescribe." The returns of these marshals give the means of comparing the condition of these children of the forest, as they are usually termed, with that of the general population of the State, in many of the particulars above enumerated ; and the comparison cannot fail to possess a strong interest, as in some respects it will present a melancholy evidence of the reduced state, and now almost literally diminishing population of these once powerful and proud nations. The enumeration embraces what are usually known as the Seneca, Oneida, St. Regis, Onondaga and Cayuga Indians, within the State. The whole number of souls is 3,753, and the number of births, in the year ending on the first day of July last, exceeded the deaths by a single one.

A minute comparison of the statistics returned with the census of the Indians will show that, in improved land and articles of food, their condition bears a creditable comparison with that of the white population. In manufactures, and especially of the necessary clothing, there is an almost total deficiency.

It is hoped that these people will institute these comparisons themselves, as they cannot fail to show them that the lands they possess, if as well worked, are capable of rendering them as comfortable and as independent of want, as their white neighbors, which should stimulate them to still farther, and more valuable, and more useful improvements.

The people of the State have, with a unanimity almost unknown in the history of our elections, decided in favor of the proposition to hold a convention "to consider of alterations and amendments to the Constitution" of the State. This decision will relieve the present Legislature from a mass of responsible labor, which has consumed much time, for several of the past years. Important propositions to amend that instrument have held prominent places upon the calendars of business of both houses for many consecutive sessions, and have given occasion for elaborate investigations and protracted debates. This whole subject has now been referred, by the people themselves, to a convention ; and it would be highly improper in me to attempt to press upon your consideration questions thus wisely disposed of, so far as our agency is concerned.

Upon this Legislature, however, is devolved the constitutional duty of re-apportioning the representation in the Legislature, according to the returns of the State census just completed ; and as the election to choose delegates to the convention is to be held on the last Tuesday in April next, justice to the people of the counties, the representation of which is to be increased by the change of population, would seem to require that the apportionment should be made in season to permit this election to take place under it. No injustice will be done, by this proceeding, to the counties, the representation of which is to be lessened by the new apportionment, as they will still have, in the

convention, that representation to which their population entitles them, while the other class of counties will have no more.

Justice to the whole population equally requires this action at the hands of the Legislature. The same people who have voted upon the question of a convention are to be represented in that body, and they have a right to be equally represented. I will not, however, occupy your time in the discussion of a point, about which I feel sure there can be no diversity of opinion, but will content myself with recommending that this subject occupy your early attention, so that the law may be passed in time to prepare for the election in April.

The financial condition of the State is a matter, at all times, of the deepest interest, as well to the people themselves, as to their representatives, upon whose action they depend for the security of their credit, the preservation of their faith, and their indemnity from unnecessary and unjust burdens. My general views in relation to the true financial policy for the State, in the present condition of its debts and liabilities, were so fully expressed in my first message to the Legislature, as to supercede the necessity of a repetition of them here. The recommendations were, in substance, that the indebtedness of the State should not be increased ; that the revenues of the respective funds should be so strengthened as to render them sufficient to meet current calls, to pay the interest on the debts, and to make annual contributions to a sinking fund such as would extinguish the principal, within a reasonable period ; and that, while the redemption of the pledges contained in former laws, authorizing loans of money, should require it, the whole of the revenues, beyond the payment of current and necessary expenses, should be appropriated to the payment of the portions of the debt falling due, rather than to any new expenditures.

In this last recommendation, I was so unfortunate as to differ from the majority of the Legislature to which the communication was made ; and a bill was passed to appropriate a specific amount of the canal revenues for a resumption of the work upon the unfinished canals. Various other expenditures were authorized in the same bill. I was unable to give to the measure my approbation, and, as the Constitution directs, the bill was returned to the house in which it originated, with my objections. Those objections the Journals of the last Assembly will exhibit, and any other reference to them in this communication is unnecessary. The bill did not pass by the constitutional vote, and, as a necessary consequence, the question between myself and the majority of the Legislature was referred to the decision of our common constituents.

The statement of the canal debt, at the close of the fiscal year, on the thirtieth day of September last, as given to me from the Canal Department, is as follows :

Erie and Champlain canal, old debt,	\$111,365 54
Erie and Champlain canal, new debt,	341,474 52
Erie canal enlargement,	9,933,000 00
Oswego canal,	421,304 00
Cayuga and Seneca canal,	237,000 00
Chemung Canal,	648,600 58
Crooked Lake canal,	120,000 00
Chenango canal,	2,420,000 00
Black River Canal,	1,544,000 00
Genesee-Valley canal,	3,794,000 00
Oneida Lake canal,	50,000 00
Oneida River improvement,	69,276 13

Making the entire canal debt unredeemed 30th Sept.,
1845,..... \$19,690,020 77

Of this amount, the first item, Erie and Champlain canal, old debt, is provided for; the money deposited in the transfer office, and no interest has been paid upon it since it fell due, on the first day of July last. Yet it is to be paid, is due on presentment, and is therefore a liability against the means of this year. The amount is, \$111,365 54

Of Chenango canal stocks, there became payable on the first day of
the present month,..... 2,362,535 66

2,473,901 20

Leaving a balance of debt not yet due of, \$17,216,119 57

The whole of the Oswego canal stocks become payable on the first day of July next, and the amount is,..... \$421,304 00

Of the Cayuga and Seneca canal stocks

there become payable on the first

day of July next, the sum of,..... 150,000 00

\$571,304 00

If these liabilities of the present year be met by payment, there will remain a balance of the canal debt unredeemed of,..... \$16,644,815 57

The Commissioners of the Canal Fund, during the last fiscal year, and since its close, have pursued the policy of paying these stocks at the day, and have, as means were at command, and opportunities were afforded, redeemed such of the Chenango stocks as were presented. They had given seasonable notice to the holders of the stocks, that interest would not be paid after the 31st day of December last, the stocks having been made payable "after the year 1845;"

and various parcels were presented, and large amounts redeemed, before the first day of the present month, which was the day of payment. On the second day of the present month, about \$1,798,000, of the Chenango stocks had been paid off and cancelled, and about \$672,000, was on deposit to the credit of the Commissioners, in the Manhattan Bank in the city of New-York, ready to meet the payment of the balance of these stocks, as they should come in.

The unusually large amount of the canal tolls, during the latter part of the last season of navigation, has enabled the commissioners to place in bank, at the proper point, all the money necessary to pay off the whole of these Chenango stocks, and thus to accomplish what it had scarcely been hoped could be accomplished, without means other than those the canal fund could supply. The annual report of the commissioners of that fund, to be immediately laid before you, will give more at large the present condition of the fund, its revenues and its debt.

It will be seen from the same report that the commissioners confidently expect to be able to meet, at the day, the Oswego and Cayuga and Seneca stocks, payable on the first of July next, without any assistance beyond the means in hand, and the tolls of the next season, which may be received in time for that purpose.

If these anticipations shall be realized, we shall have effectually changed our policy in reference to the canal debt. The means of the first two years, after the arrest of the expenditures, were entirely consumed in paying off temporary loans; arrearages and damages to contractors; damages done to lands, and the like claims, which had accumulated during the progress of the works, or were occasioned by their suspension; and in replacing the moneys theretofore accumulated to pay off the old Erie and Champlain canal debt, which had been loaned to banks that were unable to pay; so that the permanent stock debt was increased rather than diminished during that period. Indeed the last year made the first real reduction of this debt, by the payment of more than a million and a third of the old stock, reducing it to the small sum before given. This balance, and the Chenango, Oswego and Cayuga and Seneca stocks, falling upon this year, amount to the large sum of \$3,045,205.20. If these payments shall be made within the present fiscal year, an amount of redemptions equal to \$4,314,090.01 will have been made within the two years; the canal stock debt will have been actually diminished \$4,069,090.01; and the amount of annual interest upon it will have been lessened \$206,396.58. Results like these will rapidly relieve the canal revenues from the consuming demand for interest, which has so long nearly absorbed their whole nett proceeds.

The act of 1842, "to provide for paying the debt and preserving the credit of the State," requires a statement from canal department of the revenues of all the State canals, derived from sources annual in their nature, and a like statement of all the expenditures upon those works, and all charges caused by, or growing out of them,

including the sum of \$200,000, required by a law of 1841 to annually paid to the general treasury, to be made at the close of each fiscal year. That statement for the year ending on the thirtieth day of September last, shows an aggregate amount of

revenue of	\$2,375,232
And charges and expenses to the amount of	1,918,140

Leaving a surplus of revenue over expenses, for the fiscal year, of	\$457,091
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In order to institute the sinking fund, required to be established by the act of 1842, it became necessary to ascertain the amount of one third of the annual interest upon the canal debt existing at the time of the passage of that act and authorized by it. That was done, the Canal Department, after the amount of debt to be contracted under the act had become certain; and the sum arrived at was \$375,909.33. This then became the fixed sum, which, at the least, in the language of the law, was to be contributed, from the surplus canal revenues, to this sinking fund, at the close of each fiscal year, commencing with the 30th of September, 1842, and continuing until means should be accumulated to pay the whole debt. The close of the fiscal year ending on the 30th of September last, should have made the fourth contribution of this amount to the sinking fund, and, had they been fully made, there would have been added to the capital of the fund from this source, \$1,503,637.52; whereas the actual contributions have been as follows:

30th September, 1842,	\$68,504 61
" " 1843,	255,762 09
" " 1844,	571,277 51
" " 1845,	457,091 93

Making the amount actually contributed from the surplus revenues, for the four years,	\$1,352,636 14
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The amounts thus contributed are the whole amounts of the surplus over and above the expenditures, for each of the years. The surplus for 1842, as will be seen, was very small, and fell far short of the required contribution; and that for 1843 was more than \$120,000 short while those of the two last years considerably exceed the third of the annual interest, as ascertained under the law. Yet the aggregate annual contributions is less, by \$451,001.38, than it should have been to make good the fund, according to the contemplation of the law.

There is no express provision in the law establishing this sinking fund, which requires that a deficiency in the canal revenues to make the contribution, for a given year, shall be supplied from the surplus

of a subsequent year, although the nature and objects of the fund require that construction ; but the act, chapter 314 of the Laws of 1844, supplies that deficiency, if it be one, by making this requirement in terms. This last act directs the establishment of another sinking fund, to meet a debt authorized by it, but the canal revenues have, as yet, furnished no surplus applicable to that object, as the statements before made show that the calls of this fund require more than the entire surplus hitherto.

My annual message to the last Legislature was prepared under a misapprehension upon this subject. Not adverting to the fact that the deficiencies of former years, in the contributions to this fund, were to be supplied from the subsequent revenues, I assumed that those of the last year had furnished a surplus beyond the demands of this sinking fund upon them. That misapprehension was fully corrected in my message to the Assembly, returning the bill "concerning the canals" with objections, and to the correction there made I respectfully refer, in case the explanation should become material.

The revenues of all the canals, for the last fiscal year, have exceeded those of the year 1844 by the sum of \$25,984.38, but the expenses are above those of that year by \$140,169.96, so that the surplus of revenue over the expenditures, is \$114,185.58 less than the same surplus of the previous year. The canal tolls for the year ending on the 30th of September last were \$12,305.56 less than for the previous fiscal year, and the rents of surplus water were \$654.13 less ; but the interest on the current revenue was \$38,944.07 more than for the previous year, thus overbalancing the deficiencies in the other two items, and giving the excess of aggregate revenue above stated. The excess of expenditures for the last year has been principally upon the repairs, under the direction of the superintendents of repairs, and the improvements, under the immediate direction of the Canal Commissioners ; the former item having been increased \$81,656.32, and the latter \$40,351.43. The annual report of the Canal Commissioners will, I presume, exhibit these expenditures and the causes for them, in a satisfactory manner.

The business of the fall has shown that the principal canals must have been in a good condition for navigation, as the amount of tonnage transported has been much greater than in any former equal period, and the regularity and facility with which unusually heavy laden boats made their passages, is the best evidence that few obstructions were encountered. The receipts of tolls, for the last two months of the navigable season, were unprecedentedly large, and have materially aided, at an opportune moment, to place means in the hands of the Commissioners of the Canal Fund to redeem the large amount of stocks which fell due on the first day of the present month. The increased demand and improving price of wheat and flour have contributed principally towards this press of business on the canals, and the consequence has doubtless been to send forward to the market, during the fall, a much larger portion of the last crop, than would

otherwise have been brought out before the next season. The tolls of the fall have thus been greatly increased, while those of the spring will be diminished to the extent that its business has been anticipated by the change in the fall market. It does not necessarily follow, therefore, that the tolls of the fiscal year, ending on the 30th of September, 1846, will be unusually large, because that portion of them already received has been so.

The tolls upon each of the canals of the State, for the last season of navigation, compared with those of the season of 1844, are as follows :

	1845.		1844.
Erie canal,.....	\$2,361,810 75	.....	\$2,190,147 34
Champlain do.....	119,432 25	.....	116,739 32
Oswego do.....	58,448 60	.....	56,164 93
Cayuga and Seneca do..	32,486 66	.....	24,618 17
Chemung do.....	21,517 71	.....	14,385 13
Crooked-Lake do.....	1,943 86	.....	1,497 89
Chenango do.....	26,567 34	.....	22,177 96
Genesee-Valley do.....	23,144 35	.....	19,641 20
Oneida-Lake do.....	643 16	.....	621 45
Oneida-River improvem't	459 10	.....	381 13
Total,.....	\$2,646,453 78	.....	\$2,446,374 52

The statements from the Canal Department, from which the foregoing results in relation to the Canal Fund and its revenues are deduced, are made in conformity with the express provisions of the act of 1842, which requires that, as a part of the annual expenditures from these revenues, shall be given the \$200,000, directed by the act of 26th of May, 1841, to be paid yearly to the General Fund. It will be seen hereafter that this sum was not, for the last fiscal year paid to the General Fund, but was applied by the Commissioners of the Canal Fund to the redemption of canal stocks falling due, and for the redemption of which, sufficient means, without this portion of those revenues, were not provided. The reimbursement of this \$200,000, to the General Fund, when there shall be no paramount claims upon the canal revenues to prevent it, will leave the canal accounts as they are above presented, and the only effect will have been that the Canal Fund will have deferred a debt to the general treasury rather than to the public creditor.

The condition of the General Fund is very different from that of the Canal Fund just presented. Its debt is large, entirely beyond the power of its revenues, and is annually augmenting. Its revenues, now greatly unequal to the current charges upon the fund, separate from any payment upon the principal of the debt, are to be materially diminished, during the present year, unless the Legislature interpose, and provide new sources of income.

The debt charged upon the fund was, at the close of the last fiscal year, \$5,889,549 24
 This debt, at the close of the fiscal year 1844, was, . 5,634,507 68

Showing an increase, within the year ending 30th
 Sept. last, of. \$255,041 56

A statement of the liabilities of this fund for the year, and of its means to meet them, shows a deficiency of those means, on the 30th of September last, after applying the whole balance of money then remaining in the Treasury, of \$740,151.78. That amount has been borrowed from, and is due to the other public funds.

The productive capital of this fund is literally nothing. Its richest source of revenue, for the last year, has been the mill tax, the whole of which, by a provision in the financial act of 1842, was appropriated to this fund, the canal revenues having reached the point, for the year 1844, when the half of the tax appropriated to that fund was to cease, unless already assessed for another year; in which case, the whole tax for such year was to be paid to the General Fund, and after that time the half was to be no longer levied. That contingency happened during the last fiscal year, and therefore the General Fund received the whole tax, but, for the future, only the one-half of the mill tax imposed by that law is to be collected. The remaining principal source of revenue is the \$200,000 per annum, directed by the "Act to regulate the accounts between certain funds belonging to this State," to be paid from the Canal Fund for the use of the General Fund. This amount has not been paid for the last fiscal year, for the reason assigned, when speaking of the canal revenues; which has increased to that extent, the deficiency in the revenues of the General Fund, for that year.

I can add nothing to the recommendations urged in my former annual message, that provisions be made to strengthen the revenues of this fund, and to arrest the rapid increase of its debt. The ordinary expenses of the government are now annually met by loans; and money is, in effect, if not in fact, borrowed in each subsequent year to pay the interest upon the debt which the necessities of the previous year accumulated. In my judgment neither the interest, nor the will, of our constituents is observed in the pursuit of a policy so ruinous.

In addition to the amount of debt actually charged upon this fund, it is contingently liable to the amount of \$1,713,000.00, for loans of the credit of the State to canal and railroad companies, which yet continue to pay the interest, and it is hoped will extinguish the principal also of the loans, as they shall become payable, and save the State entirely harmless. A large portion of the loan to the Delaware and Hudson Canal Company, which was made upon a credit of twenty years, is to fall due on the first day of January, 1848. This

stock, by its terms, is payable "at the pleasure of the State at any time after the year 1847," and as it is the settled policy of the State not to defer, beyond the day, the redemption of stocks issued for its own benefit, it is presumed its pleasure will be that the stocks it has loaned shall be redeemed by the same rule, payment at the day. The stocks loaned to this company were issued by the Comptroller, and the original certificates signed by him ; but they are transferable at the office of the company, and the new certificates are signed by its treasurer, and countersigned by the officer appointed in the city of New-York, to transfer other stocks of the State. The transfer books are kept at the office of the company ; the lists of stockholders are only to be found there, and there the payments of interest are made.

It is important that a notice should be seasonably given to the holders of these stocks, that they will be paid on the first day of January, 1848, and that such is the pleasure of the State. It is not believed that any officer of the State is now authorized to give this notice, and without the lists of the holders of the stock, no officer has it in his power to give it. I recommend that provision be made by law to meet this case, and also to reach all the stocks loaned by the State to canal and railroad companies.

The productive capital of the common school fund, at the close of the fiscal year, was.....	\$2,090,632 41
At the close of 1844, that capital was.....	1,992,916 35
Showing an increase, within the last year, of.....	<u>\$97,716 06</u>

The unproductive part of the capital of the fund is about 350,000 acres of unsold land, situate in the northern part of the State, and valued at \$175,000.

The receipts into the treasury, during the year, for revenue from this capital, were.....	\$113,458 87
Add the appropriation of revenue from the United States Deposit Fund.....	165,000 00
And the entire revenues of the fund, for the year, will be.....	<u>\$278,458 87</u>
At the close of the fiscal year ending 30th September, 1844, there was remaining in the treasury, a balance of the revenues of this fund, of.....	89,019 46
Making the whole means of the year.....	<u>\$367,478 33</u>
The entire payments from these means, during the same year, were.....	280,649 37
Leaving in the treasury, on the 30th of September last, a balance of revenue of.....	<u><u>\$86,828 96</u></u>

The distribution to be made annually to the common schools, from the revenues of this fund, is \$275,000 ; and this is upon the condition that the counties raise by tax a like sum for the like distribution, so that the sum of \$550,000, is in fact distributed to the common schools, from the operation of the laws regulating this fund. To this amount the local funds possessed by various towns in the State, growing mostly out of lands originally reserved for the use of schools, have added \$20,000. Certain towns have, by the vote of their inhabitants, raised by tax upon themselves \$16,000 more ; and there has been raised in the cities, under various special laws, the further sum of \$200,000 ; so that the whole expenditure for the year, from these sources, upon the common schools, and the district school libraries, has been \$786,000. Of this sum, the amount paid for teachers' wages has been..... \$629,856 94
And the amount contributed on rate bills, to pay teachers' wages, has been..... 458,127 78

Showing an aggregate paid, in the State, to teachers,
of..... \$1,087,984 72

The school district libraries contain 1,145,250 volumes, 106,854 having been added during the year covered by the last reports. Towards these libraries there was paid of the public money, during the last year, \$95,159.25. Of the money raised in the cities, about \$80,000 has been expended in the erection of school houses.

The whole number of organized school districts in the State is 11,018, and from 10,812 of these, the superintendent of common schools has received reports in conformity to the law. These reports give the number of children in the districts, between the ages of five and sixteen years, at 690,914, and the whole number of children instructed in the common schools, during the year, at 736,045. They show that, of this last number, 4,298 children have been taught during the whole year ; 48,875, for ten months ; 94,893, for eight months ; 189,885, for six months ; 337,000, for four months ; 534,261, for two months, and upwards ; and 201,784 for less than two months.

Such are some of the statistics laid before me, by the superintendent of common schools, touching this interesting subject. The annual report of that officer will soon be presented to the Legislature, and will supercede the necessity of my giving more of these facts, or indulging in comments on those presented ; and I have, upon a former occasion, so fully expressed my views upon the paramount importance of our common school system, its great objects, and the results which the administrators of it ought to strive to accomplish, that a repetition of these views is unnecessary.

By an act passed on the 7th of May, 1844, the Legislature appropriated money for the establishment of a " Normal School, for the

instruction and practice of teachers of common schools in the science of education and in the art of teaching." The law places the school under the direction of the Superintendent of Common Schools and the Regents of the University, who are to appoint an executive committee of five members, of whom the superintendent shall be one, to take the immediate charge, and superintend the management and government of the school, under the regulations ; and to report annually to the superintendent and regents.

The city of Albany very generously tendered the use of a suitable building, free of rent, and the school was organized, and commenced the business of instruction, on the 18th day of December, 1844. Twenty-nine pupils presented themselves on the first day, and the number increased to ninety-eight during a term of twelve weeks. Pupils attended from forty of the counties of the State. The second term commenced on the second Wednesday in April, and continued 20 weeks, and on the first day of the term, 170 pupils were present. The whole number attending the school, during the term, was 185; and every county in the State, except Putnam, sent one or more students. About nine-tenths of the whole had taught school, for a longer or shorter period. At the close of the second term, 34 of the scholars received diplomas, being certificates of their qualifications to teach common schools. The third term commenced on the third Wednesday in October last, and is to continue 21 weeks. At the opening of the school, for this term, 180 pupils were present, and the number has increased to 197, of whom, 94 are males, and 103 females. Of this number, 176 have been teachers for a longer or shorter period ; some for several years. Every county in the State, except Seneca, is represented in the school at the present time.

These results have been experienced, during the first year of the existence of this institution, and they have more than realized the most sanguine expectations of the friends of the school. This is an experiment in our State, but certainly connected with a subject—the proper education of common school teachers—which authorizes every reasonable effort, giving a promise of improvement, and even any experiment, which shall hold out that promise. In this particular, our common school system has proved to be the most deficient, as every friend of education has seen and felt. The institution of pattern schools for the education of teachers is not new. The system has been in operation in several European countries for a length of time, and in the state of Massachusetts for several years last past ; and wherever the experiment has been made, it has been successful.

The executive committee of this school entertain the opinion, that no similar establishment, elsewhere, has started so vigorously, or made so great an advance in a single year ; and they believe, in addition to a very successful and fortunate selection of teachers, the causes are to be found in the liberal patronage of the State, and the peculiar organization of the school. The pupils from the counties are selected by the boards of supervisors, or in case they are not to meet in time to

supply a vacancy, by the county and town superintendents of common schools. The applications are numerous, presenting a wide field for selection, and the consequence is, that the students appointed are to a great extent those to whom the county superintendent would cheerfully give certificates as teachers, before they receive the benefits of this school. Hence talent and character are secured to build upon, and with capacity and faithfulness on the part of the teachers, and diligent application on the part of the scholars, success can scarcely be doubtful.

No serious difficulties have been encountered in the government of the school, and the executive committee speak of the conduct and bearing, and the untiring industry and application of both teachers and scholars, in the highest terms of praise.

The act chap. 311, of the Laws of 1844, appropriated \$9,600 to meet the expenses of organizing and commencing the school, of which sum but \$3,200 has as yet been drawn from the treasury. This appropriation was made from the revenues of the Literature Fund, being the amount formerly paid annually to certain selected academies, for the education of common school teachers. The same law, and the act chap. 142, of the Laws of 1845, secure an annual appropriation of \$10,000 for the period of five years, for the support of the school, also to be paid from the revenues of the Literature Fund, in case those revenues shall be sufficient, and if not, then from the treasury, to be charged over upon the surplus revenues of the United States Deposit Fund.

The executive committee state, that this appropriation is ample for the support of the school upon the plan adopted. Indeed, it was intended that the fund should be more than sufficient to meet the mere charges of the school, and should offer something towards the expenses of the pupils, as an encouragement for their attendance. Hitherto the regulation has been to select from each county, scholars equal in number to the members of the Assembly, and to consider these as State pupils, entitled to such a distributive share of the appropriation as the expenses of the school should leave to be thus applied. The number of these scholars at present is one hundred and twenty-three, and seventy-five cents per week is paid to each, towards board. During the two former terms, when the school was smaller, these payments were larger per scholar. There are seventy-four scholars denominated volunteer pupils, being those who are not selected from the counties in the manner prescribed, but come in upon application and examination, and pay all their expenses, having their tuition and the use of the class books free of expense.

The committee have now concluded that, by fitting up an additional room, they can accommodate 256 scholars, twice the number of the members of the Assembly, and that, after the present term, all shall be State pupils, selected from the counties upon the ratio of representation in the Assembly, and equally entitled to a distributive share of the public money; and that to bring all to the school upon

terms of the nearest possible equality, they will, hereafter, make the distribution with an equitable reference to the distance travelled, and the expense incurred by each pupil in reaching the school. The distributive share to each scholar will probably be less than actual traveling expenses, so that this rule will tend to bring the school, in point of expense, equally near to all. These regulations will, I think, be a great improvement upon those now in force.

I forbear going further into detail in reference to this institution, as the annual report of the executive committee will soon be laid before you, and will give these and all other material facts connected with the school, much more fully than they can be presented in this communication. Among other information of interest, that report will be accompanied by a full statement of the course of instruction in the school, exhibiting to the easy comprehension of all, the great leading design and object, that of making competent and useful teachers of common schools, and the mode adopted to accomplish it.

The report of the committee, will also exhibit the organization of the experimental school connected with the institution, and the objects intended to be secured by it ; and also the great benefits anticipated from the labors of the graduates and pupils of the Normal School in the teachers' institutes, formed and now extensively forming in the several counties of the State. These portions of the report will possess a deep interest, and will present this school, and its anticipated benefits, in very striking points of light.

The five years, for which the laws have already provided, will give to this interesting experiment a fair trial, and the intrinsic importance of the subject, and the present promises of success, appear to me to make it the dictate of wisdom to permit the trial to be fully made.

The capital of the Literature Fund is the same as at the close of the year 1844, and amounts to \$268,990.57. The payments into the Treasury, on account of its revenue during the last fiscal year, have amounted to,	\$27,586 88
Add the appropriation from the U. S. Deposit Fund,	28,000 00

And it will make the revenue, for the year ending 30th Sept. last,	\$55,586 88
There was a balance of the revenue of this fund in the treasury, at the close of the fiscal year 1844, of	19,624 38

Making an aggregate of means for the year 1845, of	\$75,211 26
The payments for account of revenue for the same year, were.	55,876 38

Leaving a balance of revenue in the treasury, 30th September, 1845, of.	\$19,334 88
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The academies of the State are under the superintending charge of the Regents of the University, and their annual report to the Legislature will exhibit the expenditures from the fund, and present the condition of those institutions.

The amount of the deposit of the United States with this State, denominated, in the accounts, "the United States Deposit Fund," is	\$4,014,520 71
Of this sum, there is loaned to the counties,	\$3,641,520 98
Invested in State stocks,	1,100 00
Due from the General Fund,	371,899 73
	<u>\$4,014,520 71</u>

The receipts into the treasury of revenue from this fund, during the last year, have amounted to	\$280,272 55
The payments of revenue for account of the fund, to meet the current annual charges, have been,	263,848 32
Leaving a balance of	<u>\$16,424 23</u>

On the 30th day of September, 1844, upon the close of the accounts of that fiscal year, a balance was due to the treasury, from this fund, for advances to meet the demands upon it, over and above the receipts of its revenue, of	\$25,947 87
Deduct the above balance of its revenues remaining in the treasury, upon the close of the accounts of the last fiscal year,	<u>16,424 23</u>

And there will remain a balance due to the treasury, from the revenues of this fund, on the 30th day of September last, of	<u>\$9,523 64</u>
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The law requires that the capital of this fund should remain invested, and that the interest only should be expended to meet the appropriations made from it.

The whole amount of the notes of insolvent banks redeemed through the Safety Fund, since its institution in the year 1829, is	\$1,586,780 00
In addition to these redemptions of notes, debts due from those institutions, and made by law chargeable upon the fund, have been paid to the amount of	373,722 08
	<u>\$1,960,502 08</u>

These heavy payments have not only exhausted the capital of the fund, but have rendered necessary an anticipation of the contributions to it, by the emission of stock in pursuance of the act, chapter 114, of the Laws of 1845, to the amount, up to the 30th day of September last, of \$335,801 69

The fund possesses means to meet this debt as follows:

Capital invested,.....	\$20,000 00	
Balance of money in the treasury,	38,853 05	
		<u>58,853 05</u>

Thus leaving, on the 30th of September last, a balance of debt, charged upon the future contributions to the fund, of.....		<u>\$276,948 64</u>
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The Mariner's Fund is constituted of moneys collected from the masters of vessels, and from seamen and passengers, to defray the expenses of the marine hospital at New-York, the quarantine establishment at that place, and other like expenses at that port. These moneys are collected and disbursed by officers appointed for that purpose, whose accounts are rendered to the Comptroller, and audited and settled at his office, and the balance only of moneys collected, over and above the current expenses, are paid into the Treasury, and constitute the fund as here presented.

The capital of this fund, at the present time, is as follows:

Money invested in State 5 per cent stock,.....	\$22,000 00
Mortgage from Seamen's Friend Society, without interest,	10,000 00
Money in the treasury under protest,.....	31,621 75
Balance of money in the treasury, 30th Sept., 1845,...	<u>25,895 72</u>
Making a total of.....	<u>\$89,517 47</u>

A question has been raised as to the constitutionality of the laws of the State imposing these assessments upon the masters and seamen of vessels and their passengers, and the money above mentioned, as being in the treasury under protest, was paid under a protest against the right of the officers of the State to demand and collect it. A suit was instituted by those officers, in the courts of the State, to recover money due under these laws. That suit is now before the Supreme Court of the United States, and it is confidently expected will be decided during the present term of that court. The only question raised, so far as I am informed, is the constitutionality of the laws of the State, imposing the taxes. I cannot permit myself to entertain a doubt as to the decision of this question.

After this point shall have been settled beyond further controversy, there are reasons to believe that the attention of the Legislature should be turned to the subject of the expenditures under the health laws, and to the rates of tax imposed, especially upon the sailor; and also the practicability of reducing the amount of money collected, and meeting all the necessary expenses of such an execution of those laws as the real interests of our commercial marine demand and require.

Our penitentiary system is extending itself with our increasing population. The erection of the Clinton prison has been commenced, within the last year, the effect of which has been to diminish the number of convicts remaining in the other prisons, at the close of the year. Still the aggregate number of convicts in all the prisons has increased, probably in about the usual ratio.

The number in the Auburn prison, on the 30th of November last, was six hundred and eighty-three, being seventy-two less than the number at the close of 1844. This diminution has been caused by the transfer to the Clinton prison of forty-four convicts, and to that prison district, for about six months in the year, of all the counties in the fifth senate district, and permanently of the counties of Herkimer and St. Lawrence, in the fourth Senate district. The report from this prison presents a very favorable account of its condition. Eleven deaths only have taken place among the convicts, for the year, and three of them have resulted from casualties, leaving but eight, a trifle more than one per cent, as the consequence of ordinary sickness. The discipline of the prison is said to be good, and to be successfully maintained, and the earnings of the convicts are shown to have exceeded the total expenditures of the prison by the sum of \$9,392.04. The means of the year have met the expenditures and leave a balance on hand of \$7,369.49, larger by \$2,563.37 than the balance of the previous year. The expenses appear to have been reduced about \$10,000.00 below those of the preceding year, and about \$7,000.00 below the estimate for the last year.

The number of convicts remaining in the Mount-Pleasant prison, on the 30th of September last, was 797, less by 66 than the number at the close of the previous year. There were transferred from this to the Clinton prison, during the year, 50 convicts, and, for about half the year, all the counties in the third senate district, and permanently all the counties in the fourth senate district, excepting Herkimer and St. Lawrence, were transferred from this to the Clinton prison district, which causes have produced this diminution in the number of convicts.

The prison for females at Mount-Pleasant, receives the female convicts from the whole State. The number remaining in that prison on the 30th of September last, was 61, being 11 less than at the close of the previous year, and showing that diminution in the number of convicts of this class. The number received during the year was 19;

discharged by expiration of sentences, 18; by pardons, 5; and by deaths, 7.

The receipts and expenditures of these two prisons do not show as prosperous a condition, financially, as that exhibited from the Auburn prison. The accounts of the prison for males and for females, at Mount-Pleasant, are kept together, and the aggregate expenses of the two for the year, are given at \$82,798.91; and the receipts from the earnings of convicts for the same period, at \$64,658.31, leaving a deficiency in the receipts of the year to meet the expenses, of \$18,140.60. This balance of expenditure has been paid by drawing from the treasury \$17,800, deposited therein from the former surplus earnings of the prison, and \$340.60 from a balance on hand at the close of the previous year. The expenses of the last year have been increased \$18,583.88 over those of 1844, while the earnings have, by a trifle, exceeded the expenses of the previous year. Of this excess of expenditure over those reported for the last year, some \$6,000 to \$7,000 are said to have been payments for expenses actually made for the service of 1844, but the bills for which were presented and paid in 1845. This will show that the difference in the expenditures between these two years, as above exhibited, is, to a very considerable extent, rather apparent than real, and that no such change of the amount of actual expenses, as the figures would seem to show, has, in fact taken place; although the deficiency in the income to meet the expenses of the two prisons is a reality. The annual report of the inspectors will exhibit more accurately and fully the state of the accounts, and the causes for this excess of the expenditures, over the earnings of the convicts.

The prison for the males has been visited, during the year, by a malignant fever, which swept off 12 of the convicts. The whole number of deaths for the year, was 51; which presents a ratio of mortality, separate from the deaths caused by fever, greatly beyond that of the other prisons. This is accounted for in the communication to me, by the fact, that a large share of the convicts received at that prison, are drawn from the cities of New-York and Brooklyn, and that many of those convicted of crime in such large towns, have previously impaired their healths, and injured their constitutions by exposure and vicious habits, or have become broken down by prior imprisonment, so that a large proportion pass directly to the hospital, upon entering the prison, and numbers prove to be too extensively diseased for recovery by the attentions which can there be paid to them. The bad quality and short supply of water for the prison, during the dry season, is believed to be another cause of the increased sickness and mortality in that institution.

All these subjects, together with the discipline of the prison, and its success for the year which has closed, will be presented and discussed, in the annual report of the inspectors to the Legislature.

When preparations had been made at the Clinton prison for the employment of convict labor, orders were given for the removal of

convicts from the other prisons, in conformity with which 50 prisoners from Mount-Pleasant, and 44 from Auburn, were removed to that prison. At the same time, a very large district was assigned to the new prison, comprising all the counties in the third, fourth, and fifth senate districts, with the view of strengthening the laboring force there as rapidly as the opportunity for employment should require. The result was, that 73 convicts were received at that prison, pursuant to sentences, before the close of the fiscal year, on the 30th of September last. In this time one convict made his escape, and one died, leaving in the prison, on the 30th of September, 165. That number had been increased on the 1st of December to 187.

The law of 1844, directing the construction of a new prison in the northern counties, made a preparatory appropriation of \$30,000. The act chap. 70 of the Laws of 1845, amending the law of 1844, made a further appropriation of \$75,000 towards the construction of the prison. Of these two appropriations, amounting to \$105,000, there had been drawn from the treasury, previous to the close of the last fiscal year, the sum of \$60,123.57, of which \$57,149.07 had been expended, and a balance of \$2,974.30 remained in the hands of the agent. This left undrawn of the appropriations, \$44,876.43; but between the 1st of October and the 1st of December, the further sum of \$19,558.29 was drawn, leaving in the treasury on the last named day, \$25,318.14.

The outer wall of the main prison has been completed, and covered with a substantial slate roof for the length of 290 feet, and one block of cells, 126 in number, constructed within them. This block occupies less than half the length of the outer wall completed and covered, and it is the design of the agent, during the winter, to construct another like block of cells within these outer walls. This work is now in progress, and if completed by the spring, will finish the one half of the main prison.

The other buildings erected are a substantial foundry, a machine shop, a keeper's hall, and a dwelling house for the agent and clerk, besides the temporary erections necessary to shelter and keep the convicts, and to protect the work.

The agent states, that in quarrying stone for the building, the ore-bed has been sufficiently opened to show that it fully equals any anticipations entertained at the time of its purchase for the State.

The health of the convicts has been remarkably good, notwithstanding their exposed condition, and the character of their employment; but two deaths having taken place up to the 1st December. Less difficulty has been encountered in the government of the convicts than was apprehended, and although some few escapes have been effected, a prompt recapture has followed, except in a single instance. The agent speaks favorably of the general conduct of the prisoners, and of their cheerful and faithful application to the labor assigned to them.

This officer anticipates a want of means, during the next season, beyond the balance remaining of the former appropriations, but as he has presented to me no estimate, I am compelled to refer you to his annual report for the amount and objects of expenditure. I must believe that his success during the past year, will fully meet the expectations of the Legislature, and offer the best assurance which could be given, that if means be provided, the buildings required for this prison will be early completed.

In reference to all these institutions, the annual reports of their respective managers will be so soon laid before the Legislature that I feel excused from going into minute details in regard to them.

The report from the Bloomingdale Lunatic Asylum, presents the condition of that institution in a very favorable light. Up to the 6th of December last, the number of patients admitted during the year 1845, had been 130, being 22 per cent beyond the admissions for the whole previous year; 55 per cent beyond those of 1843, and 53 per cent beyond those of 1842. There were 121 patients remaining in the institution, being 18 more than the number one year previously. There had been discharged during the year, 96, of whom 49 had been cured; and the whole number of deaths had been 12. The means for favorable treatment of the patients, and especially for moral treatment, are said to have been materially extended, very much to the advantage of the inmates of the asylum. The expenses for 1845, it is thought, will have been less than for 1844, although the number of patients has been so much increased; and the funds of the institution, including the \$10,000 paid annually by the State, are represented as sufficient to meet its expenses, and gradually reduce the debt contracted for the purchase of the farm and the erection of the buildings. The accounts of the asylum are kept for the calendar year, and will be presented to the Legislature in the annual report of the governors of the New-York Hospital, of which this institution is a branch.

The State Lunatic Asylum at Utica, continues to dispense its benefits to the extent of its present capacity. The finished building is arranged for the accommodation of about 250 patients. At the close of its fiscal year, ending on the 30th of November, 1844, the number of patients in the institution, was 260; which on the 30th of November last, was increased to 285. There were admitted during the year, 293 patients, who with those remaining in the Asylum at the commencement of the year, made an aggregate of 553 cases under treatment within the last year. Of these, there were discharged recovered, 135; improved, 78; unimproved, 34; died, 21—in all, 268. This statement exhibits a condition of physical health among the patients certainly remarkable, and the report adds, that not a single death, and scarcely a case of sickness, had occurred for more than two months previous to its date, on the first of December last. The ratio of cures, in the two institutions will be seen to preserve a singular equality, and to be a fraction more than fifty per cent—a degree of success

in the restoration to reason of the insane mind, offering every encouragement to the friends of patients to seek the aid of these asylums, and the richest compensation to the public, for the liberal provision made for these most severely afflicted fellow-beings.

Additional buildings were provided for at this asylum, by a law of 1844, and the sum of \$60,000 was appropriated for their erection. Two wings, each 240 by 38 feet, and three stories high; and two back buildings, each 130 by 25 feet, and two stories high, have been enclosed, and the rooms are now in a course of completion. The buildings are all of brick, and are said to be well built and well arranged; and when completed, are calculated to furnish accommodations for 300 additional patients. This will be, when thus finished, the largest institution of the kind in this country, and, in the opinion of the principal, it will be second to none in the excellence of its arrangements and facilities for the comfort and cure of this class of patients.

At the close of the last fiscal year, the accounts of the asylum for general support, stood as follows :

RECEIPTS.

From the State treasury, for salaries of officers,.....	\$3,875 00
From counties and towns, for the support of patients,..	22,547 13
From pay patients,.....	11,759 75
From miscellaneous sources,.....	53 81
	<hr/>
	\$38,235 69

PAYMENTS.

For salaries of officers,.....	\$3,875 00
For furniture,	1,616 65
For additions, alterations, and repairs,....	1,403 52
For the improvement of grounds,	43 07
For general support, embracing all objects but those above,	23,010 21
	<hr/>
	29,948 45
Leaving a balance in the treasury, applicable to general support, of,.....	<hr/>
	\$8,287 24

About \$5,500 of this balance, it is expected, will be required to meet bills due at the close of the year, but not presented and paid at the time of the report. This will leave \$2,787.24 to meet current expenses up to the first of February, when the semi-annual collection of bills is made.

Of the appropriation of \$60,000.00, made by the act of 7th May, 1844, for the erection of the new buildings, \$50,085.52, had been expended, up to the 1st December last, about \$6,000.00 of which was expended before the commencement of the last fiscal year. A diffi-

culty was encountered in preparing the foundation for one of the new wings, occasioning an expense of several thousand dollars not anticipated.

The last year has proved the inadequacy of the present supply of water for the asylum, and the badness of quality of that obtained; and the managers consider it indispensable that an additional supply and better quality should be provided. To meet this expense, and the expenses of finishing, warming and furnishing the new buildings, they estimate that they shall require about \$40,000, beyond the balance of the present appropriation.

Their annual report will give to the Legislature all the information necessary to enable its members to form safe opinions as to the further legislation required to put this important institution into healthful and successful operation, upon the plan now so nearly completed. I recommend that the necessary appropriations be made to complete and furnish the new buildings, and to provide for the whole a plentiful supply of good water.

The New-York Institution for the Blind is another public charity, alike worthy of the patronage of the State, and liberally sustained by it. The report of the superintendent presents the institution in a state of high prosperity, the number of its pupils increasing, and the system of education steadily advancing. One year ago this institution was embarrassed by a considerable debt, but the liberality of the last Legislature, added to that of individuals, has enabled it, within the year, to extinguish the debt and meet its current expenses. The superintendent is of the opinion that, for the future, the income of the institution from ordinary sources will be nearly, if not entirely, sufficient to meet its regular expenditures. It is most gratifying to know that an institution, founded for so noble a charity, is relieved from the consuming exactions of debt, and is left at liberty to concentrate its whole means, and the entire energies of its managers, upon the beneficent work of shedding a flood of mental light around the physical darkness, which envelopes its unfortunate inmates.

The annual report of the managers, to be laid before you, in the course of the present month, will communicate full information of the transactions of the year, and supercede the necessity of further remark upon this subject.

The Institution for the Deaf and Dumb, in the same city, is another monument of the long continued and well directed munificence of the State, to illuminate by education the minds of those who, from the deprivation of the sense of hearing, and of the use of the organs of speech, were long supposed to be beyond the reach of mental improvement. The report of the principal presents this institution in a flourishing condition. Various improvements of the buildings and grounds have been made, during the year 1845; and the number of pupils has increased to two hundred. Of these, one hundred and thirteen are males and eighty-seven females; one hundred and sixty are State pupils, thirteen are supported by the supervisors of the

county of New-York, three by the State of New-Jersey, fourteen by their friends, and the remaining ten by the institution. In addition to mental instruction, some portions of the time of the pupils, for each day, are expended in learning some useful trade, or employment, which may enable them to gain a livelihood by their own exertions, and at the same time impart needful exercise.

The annual report of the directors to the Legislature will place these and other interesting facts before you in a full and satisfactory manner, and will give you the condition of the fiscal affairs of the institution, for the past year, the accounts of which could not be made up until after the 31st of December, as the fiscal is the calendar year. The provision made by the last Legislature for the support of this institution, for the term of five years, supercedes any call for aid at the present time.

I respectfully refer the Legislature to the annual report of the Adjutant-General, this day transmitted, for various important suggestions in relation to the militia laws, and especially on the subject of securing a more perfect enrolment of the men liable to perform military duty. The present system of enrolments does not include those who, though exempt from annual militia service, are not exempt in cases of insurrection and invasion. These constitute a portion of the military force of the State, as much as if they had no temporary exemptions, and should, as it appears to me, be enrolled. It is believed this is done in some, or all of the other states, and it will be seen that the interests of this State are supposed to suffer, in an important particular, by our omission to enrol them.

The suggestions of this report upon several other subjects are considered of primary importance, and the attention of the Legislature is earnestly invited to them.

The transactions of the State Agricultural Society, for the year 1845, will doubtless be laid before you, in the accustomed form, at an early day. The annual fair of the society was held at Utica, on the 16th, 17th and 18th days of September last, and the exhibition was a proud one for the agriculture of the State. My information induces the belief that it was equal to any one of the exhibitions which have preceded it, and that the deep and pervading interest of our population, agricultural, manufacturing and mechanical, in these comparisons of their various productions, and examinations of the improvements made in each great branch of industry, was as fully manifested, as upon any former occasion.

The last Legislature extended the appropriation in aid of this society, for the term of two years from May next, so that I am not aware that any legislation is desired upon this subject, during the present session. The transactions of the society, to which I have alluded, will be the most appropriate recommendation of this great and vital interest to the renewed attention of our constituents.

Nothing has transpired during the past year to interrupt the peaceful and amicable relations existing between this State and the other

States of the Union ; and our internal condition, with the exception before brought to your notice, has been peaceful and prosperous in an unusual degree. The public health has been good in all parts of the State, the seasons propitious and fruitful, and the prices of the products of labor, and especially of most of our agricultural productions, have experienced an improvement over those of the last few years, most encouraging to industry in all its branches. As a whole, it is believed the year 1845 may be justly numbered among the most prosperous years in the history of the State.

We learn from the late message of the President of the United States, that the relations of the federal government, with all the powers of the earth, are also peaceful. Considerable sensation has been experienced, at various periods during the past year, from the prospect of an interruption of those relations with the republic of Mexico ; but as that government has concluded to re-establish the diplomatic intercourse between the two countries, which had been suspended by its action, and as the measure which induced that suspension has progressed so far as to leave no doubt of its final consummation, the reasonable presumption is that all differences will be amicably adjusted, and the peace of the two nations continue unbroken.

As a declaration of the policy of the present administration of the federal government, the message of the President appears to me to justify the confidence entertained by the country in the publicly avowed principles of the man, and to realize the expectations naturally excited by his elevation to the high trust he holds. The re-establishment of the independent treasury was confidently anticipated as a result of his election, and that great measure could not have been more distinctly, or strongly recommended to Congress, than it is in this message. The principles put forth as those which should govern an adjustment of the laws for the collection of our revenue from the customs, are also those the country had a right to expect from his public declarations upon that subject. They appear to me to be substantially the principles upon which alone a tariff of duties upon imports can be adjusted, which will have a promise of permanency, or which will give reasonable satisfaction to the different sections of our widely extended country, and to all the various interests to be affected.

The topic in the message of most engrossing interest and of paramount importance, is the frank and clear statement of the condition of the negotiations between us and Great Britain, touching the claims of the two countries to the territory of Oregon. It is not, of course, my design, as it is not my province, to discuss this great question ; but I feel it to be due to the subject and the occasion to say, that I am satisfied the proposition made by the President to the British minister, as a compromise, to establish the forty-ninth degree of latitude as the line of territory between the two powers, and to make free to Great Britain such ports as she may select on the coast of Vancou-

ver's island south of that latitude, was the most liberal concession which the judgment of the people of this State, or of this country, would have justified.

It was due to the amicable manner in which this question has been treated, by the respective parties, ever since the close of the late war between them, that the negotiations should be conducted in a frank and conciliatory spirit, and that our disposition for continued peace should be manifested by a proposition of compromise, extending to the extreme limit of reasonable concession. The offer to protract the line of boundary already settled between the two powers, upon the same degree of latitude, from the Rocky Mountains to the Pacific coast, would seem to be that proposition, even without peculiar and valuable commercial facilities within the boundary so proposed. Such a proposition, with these facilities added, has been promptly declined by the British minister, and hence the inference has been drawn that the prospect of an amicable adjustment of this question is at an end. This I will not believe. I cannot convince myself that further consideration will not bring the British Government to see, in this offer of the President, not only the tender of a boundary, which she cannot call unjust, but a spirit of liberal and generous concession, such as should characterize negotiations between enlightened commercial states, especially upon questions of mere interest.

Much less can I entertain the opinion that Great Britain will attempt, by war, to force us to surrender, upon the coast of the Pacific, a portion of the front, which covers interior territory held by us in conformity with solemn treaty stipulations with herself. If, however, she shall choose this alternative, rather than an amicable settlement upon terms so decidedly favorable to herself, the world will be prepared to place a proper estimate upon her desire for a continued state of peace; and the people of the United States will be ready, with one mind I trust, to stand upon our rights in this matter, and, if it must be so, to meet relations, which, much as they must ever deprecate, they will always prefer to injustice, or dishonor.

Whether these favorable anticipations as to the continued peace of our country, are to be realized or not, can vary little the calls of public duty upon us. To exempt our people, as far as may be in our power, from the incumbrance of debt and the burden of taxation, and to secure to them the fullest measure of prosperity which unfettered industry can earn, is alike the course of wisdom in either event. In such a condition, they will be best prepared for the profitable enjoyment of peace, or to meet the scourge of war; and if our deliberations and action shall be unitedly and earnestly directed to these ends, we may reasonably hope for the continued smiles of that Almighty Power who holds the destinies of nations in His hand, and who has hitherto protected our country and her institutions against every hostile assault.

SILAS WRIGHT.

Albany, 6th January, 1846.

[SENATE JOURNAL.]

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Documents accompanying the Governor's Message.

PROCLAMATION

By SILAS WRIGHT, *Governor of the State of New-York.*

The sheriffs, district attorney, judges of the county courts, and other officers of the peace and citizens of the county of Delaware, have laid before me a body of evidence, to satisfy me that the execution of civil and criminal process in that county has been forcibly resisted by bodies of men ; that combinations to resist the executions of such processes by force, exist in that county ; and that the power of the county has been exerted, and is not sufficient to enable the sheriff and his deputies, having such process, to execute the same ; and have applied to me to exert the authority with which I am clothed by the 19th section of the act entitled, "An act to enforce the laws and preserve order," passed April 15th, 1845.

The evidence presented to me establishes satisfactorily the following among other facts :

That the execution of civil and criminal process began to be resisted by bodies of men, in the county of Delaware, as early as March last.

That combinations to resist the execution of such process by force, under the denomination of anti-rent, or equal rights associations, commenced being formed in that county more than one year ago.

That these associations have engrafted upon their organization a force of disguised, masked, and armed men, subject to the orders and directions of the officers of the associations, and by and through which force, under the protection of its disguises and masks, the resistance to the execution of legal process is to be made and is made.

That the members of this armed force are denominated Indians, or Natives ; are organized in bands called tribes, and have their leaders and commanders, called chiefs, having names in imitation of Indian chiefs.

That the officers of the associations, and all the members of the armed force, are sworn to observe and support the constitution of the association, and to keep secret all things communicated, or known, to them, which require to be kept secret, and, in the case of the disguised and armed men, the further clause is added, that they will stand by each other as long as life shall last.

That the avowed and declared object of the associations is to prevent by force the collections of rent, and that the express duty of the armed force is to resist the execution of process issued for that object ; but that the case of resistance by force against the execution of legal process, and the discharge of their duties by the officers of

the law, have not been entirely confined to proceedings for the collection of rents, but have been extended, in some instances, to other legal process.

That these associations, and organizations of a disguised, masked, and armed force, are not confined to the county of Delaware, but exist to a great, if not to an equal extent in several adjoining counties; and that the organizations, armed and unarmed, wherever they exist, have and avow a common object, make common cause, and act in entire concert and co-operation.

That in all the prominent and flagrant cases of resistance to the process and officers of the law, in Delaware and other counties, the members of these armed bands of disguised and masked men have been prominent actors; and that, in the county of Delaware, before the passage of the law above referred to, this resistance had been carried to such an extent, as to require the utmost exertion of the power of the county to preserve peace and order, and execute criminal process only.

That early in the month of May, after the passage of the law of the 15th of April last, above referred to, the sheriff of the county of Delaware applied to the Governor, under the second section of that law, and received authority to organize an armed guard of 400 men, to aid him in the preservation of order, and the execution of civil and criminal process within the county.

That a strong feeling has existed in the county against that provision of the law, which charges upon the county the expense of such an organized and armed force, the citizens contending that it was unequal and unjust to require of them to encounter, in their persons, the labor and peril of enforcing the law against these armed combinations of their own and the adjoining counties, and thereby subject the property of Delaware county only to the taxation necessary to meet the expenses thus incurred; and that the sheriff has been unable to organize a guard, under the second section of the act, of sufficient strength and permanency to enable him to execute the civil process placed in his hands, or calling for execution.

That the consequence of this state of things has been a substantial suspension, in the county of Delaware, of all process for the collection of rents, from the close of the serious disturbances there, in March last, until a very recent and very signal instance, to be hereafter particularly noticed; the sheriff having undertaken, within that time, to execute and carry out such process in but one instance, and in that, a voluntary settlement between the parties relieved him, before the point was reached, at which resistance has been usually met; and he having, in numerous other instances, declined to receive and attempt to execute such process.

That, some time during the last month, pursuant to proceedings by way of distress for rent, against a man by the name of Moses Earle, of the town of Andes, in the county of Delaware, the sheriff had appointed a day for the sale, upon the premises, of the property dis-

trained, and, upon the day of sale, attended at the place, and met a large collection of persons, whose appearance and conduct satisfied him that their object was to prevent his sale; not one of whom would make a bid upon any of the property offered for sale, and from whom he learned that a disguised and armed force of some sixty men was secreted in the woods adjoining the field where he was trying to sell the property; whereupon he adjourned the sale to the 7th day of the present month, at the same place.

That, on the 7th day of the present month, the sheriff attended at the place of sale, accompanied by his under sheriff, Osman N. Steele, Erastus S. Edgerton, a constable of the county, and Peter P. Wright, the agent of the landlord, who attended to bid upon the property. These persons found upon the premises a force of disguised, masked, and armed men, about 220 strong, by which they were surrounded as soon as movements were made indicating a preparation to enter upon the sale of the property, and by a portion of whom, in obedience to the order of one acting as their chief, the horses upon which Steele and Edgerton were mounted, were shot and killed, and Steele was mortally wounded and survived but six hours, three balls taking effect in his person, and from twelve to twenty guns being fired. The execution of civil process was thus resisted, the enforcement of the law prevented, and the order and peace of society deeply and irreparably disturbed and broken, in this instance.

That this cold and cruel murder of a most estimable and valuable citizen, and brave and faithful public officer, for no other cause or provocation, than the discharge of his official duty, as he had solemnly sworn to discharge it, has so aroused the energies of the patriotic and law-abiding citizens of the county of Delaware, as to enable the sheriff, for the purpose of the arrest and punishment of the murderers, their aiders and abettors, to organize a guard, or posse, under the 2nd section of the law referred to, in conformity to the authority obtained from the Governor, in May last, for that purpose; but only for a very short period, which has already expired, or is just about expiring, and without the hope or expectation, on the part of the sheriff, of being able to avail himself of the aid of that guard, or posse, for any other purpose than the execution of the criminal processes, to which this startling murder may give rise.

That it has been subsequently ascertained that, in addition to the disguised and armed force of 220 men, which actually surrounded the sheriff and his assistants, and shot down the under sheriff, an additional similar force of 40 picked riflemen was stationed in the bushes by the side of the road, and near to the place of sale, with directions to watch the posse, which it was apprehended would follow the sheriff, and come to his aid; to order it to halt, if it should attempt to pass; and to shoot down the men who composed it, if they should not obey the order to halt; thus making the whole disguised and armed force, assembled upon this occasion, to resist the execution of the law, and of civil process, 260 men, or more than that number.

That considerable portions of this disguised and armed force were drawn from two of the adjoining counties, and were not citizens of the county of Delaware.

That these organizations to resist the law and the execution of its process, have extended themselves to the magistracy of the county of Delaware, and that justices of the peace of some of the towns in that county are found enrolled as members and officers of the associations, if not under the Indian disguises, bearing arms to resist the law by force ; forgetting the oath of office they have taken, and taken themselves, and administering to others, oaths to conceal violations of the law ; To the ministerial officers of the county, and that constables are also found members of one, or both, of these combinations : To the officers of the towns, and that supervisors, the members of the local legislature of the county, are members of the anti-rent associations, swearing to support their constitution and pledge, if not Indians, swearing to bear arms against the law.

That one of the obligations, which every person takes upon himself, on becoming a member of an anti-rent association, is to make fixed and regular contributions to the funds of the association ; that a stipulated rent of two cents upon the acre of all the land held by the members of these associations is levied and paid to the treasurers, to meet the expenses of the organizations ; that the moneys thus collected are paid out, under the direction of a committee, to purchase materials for dresses, masks, arms and ammunition for the Indians, and to pay the expenses of their subsistence and entertainment, when called out, as well as to meet the expenses of law suits, and litigations ; and, where there is a surplus in the treasury, to pay the Indians for their time spent in the service to which they are devoted.

That 1,000 or more persons have enrolled themselves and taken the prescribed oath, as Indians, within the single county of Delaware, while a much larger number have become members of the anti-rent associations, and that the obligations assumed towards each other, certainly by the Indians, if not by the members of the associations also, strongly imply, if they do not expressly enjoin, efforts on the part of those at liberty to rescue those under arrest, and in the custody of the law, for acts performed as Indians, or as members of an association, and in furtherance of the objects of those organizations.

That, since the murder of the under sheriff Steele, in the manner before related, the proceedings of the authorities and citizens of the county of Delaware have been marked by a most praiseworthy vigilance and energy, to arrest and bring to justice these resisters of the law and disturbers of the peace of the county ; that many arrests have been made, and fifty or more prisoners are now confined in the county jail, either awaiting examinations, or committed to answer to charges of crime, some twenty or more of whom are charged as principals or accessories in this murder.

It may be added, too, that individuals, and assemblies of men, have, within the period mentioned, frequently appeared in the public

highways, in the fields, woods and other places in the county, and sometimes in the face of the sheriff and his officers, both disguised and armed, in open violation of the provisions of the act entitled "An act to prevent persons appearing disguised and armed," passed 28th January, 1845; and that such persons, so committing offences subjecting them to punishment in the state prisons, have not been arrested; thus affording evidence that the power of the county, as faithfully exerted as the Sheriff and his officers could exert it, has been insufficient for the execution of criminal process, and the preservation of the criminal law within the county, in cases where the violations of that law have not been attended with consequences calculated to shock the feelings of the citizens, by the imminent danger to, or the wanton destruction of human life.

The fact that the law makes no provision for mounting the men to be employed by the sheriff as a posse, or guard, or for the payment for the service, or for the subsistence, of horses for their use, is stated by him as one prominent cause of his inability to enlist and organize an efficient body of men for the service required. The nature of that service palpably required that a large share, at least, of the sheriff's guard should be mounted, and it is scarcely possible that any moderate number of men could have made him an efficient posse, all serving on foot.

In the face of these facts, I cannot entertain a doubt that the testimony presented brings the case fully within the provisions of the 19th section of the act of the 15th of April last; that the execution of criminal or civil process has been forcibly resisted in the county of Delaware: that combinations to resist the execution of such process by force do exist in that county: that the power of the county has been exerted within the true intent and meaning of the act, and that it is not sufficient to enable the officers of the county having such process to execute the same.

I do therefore, hereby, in conformity with the provisions of the said 19th section of the said act, proclaim and declare the county of Delaware to be in a state of insurrection, according to the provisions, and true intent and meaning of the act of the Legislature of this State, entitled "An act to enforce the laws and preserve order," passed 15th April, 1845.

In making this declaration, it becomes my duty to draw the particular attention of all the citizens of the State, and especially the citizens of Delaware and the adjoining counties, to the provisions of the 20th section of the act referred to.

Any person who shall, after the publication of this proclamation, resist, or assist in resisting, the execution of legal process; or who shall aid, or attempt, the rescue or escape of any prisoner from lawful custody or confinement, or who shall resist, or aid or assist in resisting, any force ordered out by the Governor, in the county of Delaware, is by this section of the law, upon conviction of either of these offences,

to be adjudged guilty of a felony, "and punished by imprisonment in the State prison for a term not less than two years."

It becomes my further duty to invoke the special and earnest attention of all civil and military officers of the State to this Proclamation, to the provisions of the two acts of the Legislature particularly referred to in it, and of the responsible duties it devolves upon them. They are the guardians of the law for the people of the State, whom they have been appointed to represent and serve. They have been selected to expound, administer and execute the law, and they have solemnly sworn that they will faithfully discharge the duties of their respective offices, according to the best of their abilities.

To such officers within the county of Delaware, and the surrounding counties, this appeal comes with peculiar force. It is to enforce the law in their immediate neighborhoods that the aid of the State is invoked. Around and among them the spirit of insurrection, of combined and organized resistance to the law, prevails and shows itself. The discharge of their whole duties, and the faithful redemption of their official oaths, are demanded alike by patriotic feeling, moral duty, and a plain sense of personal justice; and especially, if any one among their number holding a public trust, and resting under the obligations of that oath, shall become lost to a just sense of his duty to himself and his State, and shall yield to the insurrectionary influences around him, it is incumbent upon them, while they boldly detect and expose and bring to justice the delinquent, to show by their better conduct and example, that our free institutions are not to be surrendered for a state of disorder, and violence, and crime, and murder, even though some few of their constituted guardians should not be proof against such delusion.

To the freemen of the State I can make no stronger appeal than is presented in the simple narration of facts I have set forth. These facts show the regular progress to its result in crime and blood, of every attempt to set aside the regularly constituted tribunals of civil society, organized for the protection of personal rights and the redress of personal wrongs, to make might the measure of right between citizen and citizen. Masks and disguises are never assumed to protect men in the performance of acts towards their neighbors, which the judgment and the conscience approve; and no other acts will promote the peace, order, or prosperity of society, or the happiness, or true interest of him who performs the action. Secret oaths are only administered to add to the protection of the masks, when the conscience proclaims that he who is trusted to look behind the mask may be as dangerous as he who looks upon it; that the danger is in the truth, and is to be apprehended from all who can tell it. When the mind becomes so deluded as to rely upon protections like these, and to act from the promptings which a sense of security of this character, if indulged, will never fail to engender, high crimes are the certain fruit, and the charm of the protection vanishes only when the guilt is incurred. The intelligent freemen of our State will not seek to

change their peaceful, and happy, and prosperous institutions, the fruit of the toil and blood of our revolutionary fathers, for a government resting upon such a basis, and producing such fruits. Justice is the emblem of their government, and her light is truth.

To the tenants who disapprove of this disguised and armed force, and have refused to give their aid or countenance to its organization and action, and they are believed to constitute a numerous and influential body of men, the present presents a peculiarly appropriate occasion to mark more distinctly their separation from proceedings which cannot fail to be fatal to a good cause, and to prejudice good men. If they feel, that the tenures by which they hold their farms are onerous ; not in accordance with the genius of our institutions, or the spirit of our people ; and that they ought to be changed to freeholds ; let them see, and feel also, that the natural sympathies of the great body of our freeholders must be with them in these impressions, and that the sure way to avert these sympathies is to attempt to accomplish a worthy end by unworthy means. Let them remember that their present tenures have resulted from voluntary contracts, freely entered into between themselves, or their worthy ancestors, and the landlords from whom they hold ; and that the readiest, if not the only way, to make the change they desire, is by a contract equally voluntary between themselves and those same landlords. Let them be assured that, if they fulfil their contracts hitherto, and offer terms of commutation of their titles, which are just, and which appear to be so to fair and impartial minds, an enlightened public opinion will bring about the acceptance of such terms by the landlords.

To the proprietors of these leasehold estates, the landlords of these tenants, the present crisis should not be without its lessons of wisdom. Indefensible as have been the attempts to repudiate their solemn contracts, and to wrest from them by force the remedies secured to them by the constitution and the laws for breaches of those contracts, they should not fail to see, at the foundation of these lawless proceedings, a rapidly growing dissatisfaction at the perpetuation of tenures, not in accordance with those by which the great body of the lands of our country are held, and not consonant with the feelings of our people. And, while the power of the State must and will be exerted to enforce the law, protect private rights, preserve the peace and order of society, give security to the life of the citizen, and prevent the prevalence of anarchy and violence, so far as it rests in their power, they should be ready to remove the causes of like troubles for the future, by a prompt and liberal arrangement of arrears of rent, whenever an opportunity shall offer ; and, by tendering generous terms to the tenants, upon which they will change the tenures to fee simple titles, put an end for ever to this perpetual relation of landlord and tenant,—a relation already so fruitful of anything but peace and prosperity to either of the parties. Even if it shall become necessary to employ the military power of the State to enforce the law, as connected with their peculiar interests, they should be prepared, upon all occasions and

under all circumstances, to show to the public that it is no part of their object to be benefited in their pecuniary interests, by the misfortunes or the faults of their ill advised and misguided tenants; but that they are ready to consider, generously, the ability and the means of each tenant to pay, and, even if a coerced sale of his property must be the only rule of settlement, that they are prepared to become liberal purchasers at such sales.

To the disguised men themselves, and to those less worthy than they, who press them forward into the danger from which they themselves shrink, I have only to say that wrong acts never serve even a good cause; that persistence in crime cannot mitigate the heavy weight upon the mind and conscience of the first crime; and that no disguises are perfect enough to protect the heart from the eye of Him who sees its thoughts and intents.

For the sake of the character of our State, and of our people, as well as for the peace and prosperity and harmony of our society, I earnestly hope that the day may not be distant, when I may be called upon to discharge another and a far more pleasant duty, under a provision of the same law under which I now act, by revoking this proclamation.

Yet the law must be enforced. Our institutions must be preserved. Anarchy and violence must be prevented. The lives of our citizens must be protected, and murder must be punished. And when that portion of our citizens who, now transported by passion and led away by singular delusions, are ready to strike down the law and its ministers, shall become convinced that a different course is alike the part of wisdom and of duty, and shall again submit themselves to the laws of the State, then, and not before, can I expect to be permitted to perform that more pleasing duty.

In testimony whereof, I have hereunto affixed the privy seal of the State. Witness my hand, at the city of Albany, this [L. s.] twenty-seventh day of August, in the year of our Lord one thousand eight hundred and forty-five.

SILAS WRIGHT.

COMMUTATION

Of the sentence of John Van Steenburgh and Edward O'Conner, for the murder of Osman N. Steele.

EXECUTIVE CHAMBER, }
Albany, 22d November, 1845. }

GREEN MOORE, Esq.,
Sheriff of Delaware county:

SIR—The official reports of the testimony given upon the trials of John Van Steenburgh and Edward O'Conner, lately convicted, before the court of oyer and terminer of your county, of the murder of
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Osman N. Steele, have been placed in my hands by the circuit judge. These reports the statute make it my duty carefully to examine, independently of any application to interfere with the sentences of the prisoners, and gives me authority to require the opinion thereon of the Chancellor, the justices of the Supreme Court, and the Attorney-General, or any of them.

Upon both of these trials the question of law was raised, whether being present at the time of this murder, armed and disguised, and engaged in resisting the execution of the law, in the manner particularly described in the act of the last session, entitled "An act to prevent persons appearing disguised and armed," was a "felony," within the true intent and meaning of our statutes. The court of oyer and terminer decided that these acts did constitute a "felony," and therefore, that the defendants, if guilty of them, were guilty of the murder, by the terms of the third subdivision of section four of the Revised Statutes, Vol. 2, page 657, which enacts that the killing of a human being, when perpetrated without any design to effect death, by a person engaged in the commission of a "felony," shall be murder.

Upon the trial of O'Conner, testimony given by him before the grand jury, upon the examination of the case of another person charged with this murder, was offered in evidence against himself. His counsel objected to the evidence as inadmissible, because he was called to testify before a tribunal, where he could not be allowed counsel to advise him as to his rights and liabilities, and where there was no court to caution him not to answer questions, which would criminate himself. The court of oyer and terminer overruled the objections and admitted the evidence.

On all occasions of this sort, I have felt it to be my duty to avail myself of the advice of the Attorney-General and Judges, separately from the particular submission to them of any questions of law which may have been raised upon a trial for murder. In these cases a desire for this advice upon these questions would have rendered certain my submission of the reports to them, or as many of them as I could conveniently reach, had I not been particularly urged to do so; but one of the counsel for the defendants presented these questions to me, argued them before me, and urgently requested me to submit them to the Justices of the Supreme Court for their opinion.

The reports of the circuit judge have been submitted generally to these judges, and their attention particularly drawn to the two questions of law before stated. They have expressed their opinions fully and unanimously upon both, sustaining the decision of the court of oyer and terminer in each case. I am free to say that, after full examination and reflection, I find myself compelled to come to the same conclusion, that the court of oyer and terminer decided both of these points correctly.

This forces upon me the further conclusion that the trials and convictions of these defendants were regular and in conformity to the

law ; and, the testimony leaving no doubt upon my mind that they were both present at the murder of Steele, armed and disguised, and engaged in resisting the execution of the law by the sheriff, that they are both legally guilty of that murder. The verdicts of the juries, therefore, in each of the cases, I consider fully sustained by the law and the facts.

I have found it exceedingly difficult to persuade myself that I can consistently with a proper discharge of my public duty, go any further in considering the question of interference on my part, with the sentences, which the law has pronounced upon these unfortunate and misguided men.

Yet the cases are so novel and extraordinary, and the evidences before me are so abundant, of the existence of a deep and wide spread public feeling, demanding a further examination into the facts and circumstances of these convictions, and into the more minute relations of these defendants to that bloody tragedy, that I have felt constrained to step over this limit, and take a more enlarged view of the momentous question thus pressed upon me.

A most cold, deliberate and cruel murder was committed, in the open day, and in the midst of a vast concourse of the citizens of this State; and, beyond some five or six, there was not a man to raise his hand or voice against the bloody deed, while hundreds were active and guilty participators, directly or remotely, in the dreadful crime. These were citizens of our State, assembled with arms in their hands, not to defend our free institutions, but to beat them down by force ; not to sustain the Constitution and the law, but to violate both. The offence, and the only offence, of their victim, was that he had exerted himself, upon former occasions, and was then exerting himself, as a public officer of the State, to perform the public duty appropriately assigned to him, and thus to discharge himself from the obligation of the solemn oath upon his conscience. It is not true, as has been asserted, that the assault upon Steele was provoked, or invited, by a fire from himself upon the disguised men ; as the testimony upon the trial of O'Conner, positively establishes the fact that his pistol was not discharged at all upon that occasion. The offence against the law and its officers, which moved this body of citizens to armed and bloody resistance against them, in truth was that they were to be compelled to fulfil their own voluntary contracts, and to pay debts, which they had acknowledged themselves, by the most solemn legal obligations, justly to owe.

In this armed resistance to the laws, thus induced, were engaged the aged, the middle aged and the young ; the wealthy, the men of moderate means, and the poor ; the influential and the obscure ; and they carried their resistance to murder. These are the simple facts of the history, undisputed and indisputable.

The whole public mind was shocked, and every man, whose moral principles were not perverted, whose love of peace and order and law were not paralyzed, rushed to the aid of the civil officers. The guilty

were pursued and brought forth from their hiding places to answer before offended and violated justice for their crimes against the peace and rights and lives of their fellow citizens. They numbered hundreds, some thirty or more of whom had been arrested and placed within the custody of the law, all of whom were indicted for the murder.

The most sanguinary executors of the laws of a civilized State would not, at this day, have contemplated the execution of even this number of men for this single murder; and yet the majority of the guilty, and among them, those believed to be the most guilty, both as instigators and perpetrators of the crime, were at large, having fled beyond the reach of process, or secreted themselves too securely for the vigilance of the ministers of justice.

Under these circumstances, the court of oyer and terminer assembled at Delhi, to make this fearful jail delivery. The responsibilities resting upon the public prosecutors, and the court, were immense. They were in the midst of an alarmed, excited, and to a great extent impassioned community. Their first duty was to sustain the supremacy of the laws. Their second, as far as it could be done by their action, to restore peace and order and harmony to a broken and distracted society.

The public wish and expectation naturally was that the severity of punishment should be visited upon the leaders in the disturbances, and the actual perpetrators of the death; upon the influential commanders, and not their obscure followers. The standing and the acts of the respective criminal parties were not before the public, and, as a very natural consequence, its impressions as to the legal guilt of the various individuals implicated followed its judgment of the moral guilt of each, formed from their apparent relations to the crime. The reflection was not generally made, that he who had the deepest and most direct interest; who exerted the strongest influence in bringing together that illegal assemblage of armed men, and in exciting their passions to the point of murder, might have been sagacious enough not to have presented himself upon the bloody field; not to have disguised and armed himself, and not to have taken part in the commission of the felony, which must precede, and lay the foundation for the guilt of murder. It was not sufficiently remembered that the leaders in all groundless and criminal insurrections, those who are fully aware of the whole length and breadth of the guilt to be incurred, are too apt to be absent in the hour of execution of their criminal plans, and leave the liability to punishment upon their less guilty dupes.

The examinations before the coroner's jury, and before the grand inquest of the county, proved to the public prosecutors, and to the court, that the principal leaders in this insurrection, to a very great extent, had observed the cautions so common to men occupying similar positions, and had kept themselves from the scene of this murder, or made good their escape beyond the reach of process. These legal

and judicial officers were well aware that all present, disguised and armed, and engaged in resisting the sheriff, were legally guilty of the murder ; but they were as well aware that nearly the whole number of these indicted for the murder were so present, and consequently legally guilty of the crime ; and that the conviction and execution of any such number, was out of the question.

It was natural, therefore, that they should have studied the facts developed upon these two preliminary examinations, with the utmost care, and the closest scrutiny, that they might determine who, among the persons indicted and in custody, and unquestionably legally guilty, were the most guilty in fact, and in the light of a sound moral judgment. It was equally natural, that the question, who among the prisoners actually fired his gun upon the murdered man, should have been a leading and anxious inquiry.

It must not be forgotten either, that the testimony of the sheriff and all those who were present with him, taken upon the preliminary examinations, had shown that the disguises were too perfect for their scrutiny ; that they could identify no one of the many persons who fired upon the horses and men, in their full view and within a few feet of their persons ; and that the testimony which had been obtained, by way of personal identification, and which could be developed upon the trials upon which they were to enter, must be drawn from unwilling witnesses, parties to the felony and the murder, and men whose every feeling and interest and prejudice must be with the defendants.

The examinations and inquiries of the prosecuting counsel induced the belief in their minds that Van Steenburgh and O'Conner were among the number of persons who fired their guns at the time of the murder ; and they were led to expect, from what they could gather from the sources of information above alluded to, that they should be able to adduce evidence upon the trials, sufficient to establish the same belief in the minds of the jury. As to no other of the persons in custody could they collect information, which authorized them to believe that the individual was one of those who fired, much less to hope that they could bring before a jury evidence to establish that fact.

Hence the trial of Van Steenburgh and O'Conner for this murder, while from others known to have been present, armed and disguised, and participators in the resistance to the sheriff, pleas of guilt for manslaughter in the different degrees were accepted.

Circumstances developed in the testimony, in Van Steenburgh's case, given on the part of the prosecution, favored very much the belief that he was one of those who fired ; but the cross-examinations, and the testimony for the defence, presented facts which may explain these circumstances, and together with the fact that he is not shown by the testimony, at any time, to have made expressions approving of, or justifying the murder, necessarily shake this belief, and leave that point in doubt.

His conviction, therefore, appears to me to rest upon the broad

ground of his being present, armed and disguised, and engaged in the commission of the felony, and therefore guilty of the murder, under the third sub division of the fourth section of the Revised Statutes before referred to. If this be so, he stood upon a par with all those indicted and in custody, who were present, armed and disguised, at that sale, and there does not appear to be any more reason for visiting upon him the extreme severity of punishment, than upon any one of the others, who were permitted to plead to minor offences, and to receive lighter punishment.

Are there reasons which should have distinguished him favorably from some of those, upon whom the punishment of imprisonment only has been inflicted ? He is represented to me as a young man, only about twenty-two years of age ; almost without education, scarcely able to read, and not able to write at all ; in force and activity of intellect, below mediocrity ; entirely poor and destitute of real or personal estate of any description, beyond his very moderate wearing apparel ; and obtaining his living by working for wages by the month. These representations as to this defendant, come to me from sources which I am bound to credit, and they place him in a position in life, and in society, where it is impossible to believe that he can have exerted any material influence, beyond his single personal co-operation to originate this insurrection, or to give it direction ; but, on the contrary, force the conviction upon the mind, that he has been the subject of a superior influence, and the instrument of a superior intellect.

Had the facts in this case been known to the prosecuting counsel, exactly as they appear upon the judges' report of the testimony, and had his standing and character been displayed to them in the manner they are represented to me, as I have repeated, I entertain no doubt that he would have been permitted to enter his plea to the charge of manslaughter without a remonstrance, and that some more commanding culprit would have been selected for trial for the murder. The belief that he was one who actually fired, it appears plain to me, put him upon his fatal trial, as fatal it must be, for all in like condition were legally guilty.

The jurors in this case, have addressed to me an application in reference to this defendant, in the following words :

"To His Excellency SILAS WRIGHT, Governor of the State of New-York:

"The undersigned, members of the jury on the trial of John Van Steenburgh, convicted as one of the murderers of Osman N. Steele, late under-sheriff of the county of Delaware, do most respectfully recommend him as a fit subject for the exercise of your clemency ; that they do not believe him to have been a ring-leader on that occasion, and would most humbly beseech your Excellency to commute his punishment. Dated October 1, 1845."

This paper bears the signatures of the twelve jurors, and came to me, enclosed in a letter from Peter P. Wright, Esq., the gentleman who acted as the agent of the landlord at the sale, and who was one of the most material witnesses for the prosecution, upon this trial. Mr. Wright states that the paper was drawn up by him, at the request of the jury, immediately after the close of the trial, was signed by them, and returned to him, with the request that he would make such use of it as should be thought expedient.

Another paper has been handed to me, dated October 11, signed by eight of these same jurors, much more full and detailed in its language, distinctly declaring that the jury did not believe that the defendant was one of those who fired their guns, and that they rested their verdict upon the express ground of the law as given to them by the judge in his charge, that all those who were present at the sale, armed and disguised, were engaged in the perpetration of a felony, and therefore were guilty of the murder, whether they designed to kill any person or not. This paper, it is said, was circulated and the signatures of the eight jurors obtained, before it was known to those circulating it, that the whole jury had signed the petition left with Mr. Wright; and that, after that knowledge was obtained, no effort was made to obtain the signatures of the four remaining members of the jury.

The testimony, in the case of O'Conner, appears to me to be much stronger, and to develop facts and circumstances going much farther to show, if not a pre-existing murderous design in his heart, at least a contentment with, and approbation of, that fatal result, after it had been produced, than that in the case of Van Steenburgh.

There are portions of the testimony susceptible of a very unfavorable construction towards this defendant, and especially in reference to his extraordinary precautions against being known, and his feelings, subsequent to the crime, in relation to the deed. Still I am aware that those who listen to the testimony as it is given, and see the manner of the witnesses, are much the safest judges of the weight to be given to their evidence, and of the inferences to be justly drawn from the facts they relate. In this case also the jury have spoken, beyond their verdict given in court, and have limited most materially the range of construction and inference, which might otherwise be opened by the reading of the judge's report. Eleven of the jurors have caused to be laid before me a statement, over their signatures, in the following words :

"DELAWARE OYER AND TERMINER.

"Edward O'Conner, }
ads.
 "The People. }

"To the Governor of the State of New-York :

"We, the undersigned, the jurors in this case, respectfully represent that the above named Edward O'Conner was convicted of murder by our verdict, on this 11th day of October, 1845, at the court of

oyer and terminer now sitting in and for the county of Delaware. He was charged with being one of the armed and disguised men present at the shooting of Osman N. Steele, late under-sheriff of the said county, on the 7th day of August last. The proof was clear and positive that he was not one of those who shot. At the time of the firing he was some three rods distant, and immediately quit the ground and retired back with others several rods, and, after a delay of some twenty minutes, started in company with them for home. The court charged the jury that all the armed and disguised persons, numbering some two hundred and forty, who were on the ground, engaged in the riot, were guilty of a felony, and therefore guilty of murder, and upon that charge we found the prisoner guilty. There was nothing in the evidence to warrant the belief that he anticipated, encouraged, or approbated the firing, or killing of Steele, or any one else, or the horses. We believe he had no murderous intention. His character from his youth up, with the exception of his participation in the affair of the 7th of August, and occasionally having disguised before the law against disguising, passed the 28th January last, was proven to have been good. He is about 25 years of age. The evidence that he was among the disguised persons, on the 7th of August, was not positive. Under all the circumstances of this case, we believe that public justice would be better satisfied by a commutation of his punishment to imprisonment in the State Prison, and we hereby earnestly recommend to your Excellency to interfere and save this man from the awful doom of death."

Accompanying this statement from the eleven jurors was a letter from the twelfth, in these words:

"His Excellency Silas Wright,

"Governor of the State of New-York:

"Sir,—Being called upon by the friends of Edward O'Conner, recently convicted of murder, at a court of oyer and terminer, held by his Honor Judge Parker, at Delhi, Delaware county, to sign a petition to your Excellency for a commutation of his punishment in the State prison for life, and being a juror in said court and trial, I did not think proper, on account of something set forth in said petition, to sign it with a majority of my fellow jurors; and being willing and desirous that a commutation of punishment in the State prison for life might be extended to him, I do cheerfully ask for the same, if consistent with your Excellency's views and prerogatives."

This strong appeal of the jury, immediately upon the pronouncement of their verdict of guilty against this defendant, coupled with their distinct and unequivocal interpretation of the testimony in the case, upon all the material points, puts at rest any hope the public prosecutors may have entertained of satisfying the jury that O'Conner fired upon the murdered man. The statement is equally conclusive as to the opinion of the jury that no murderous intention governed O'Conner upon that occasion.

This statement, it is true, is signed by eleven only of the jurors, but as the twelfth concurs fully with the eleven in their recommendation of the commutation of the sentence, though without pointing out wherein he dissents from the paper signed by the eleven, it is fair to infer that he adopts such constructions of the evidence upon the material points as are essential to the conclusion in which all unite.

I feel constrained to state that, but for this strong communication from the jurors, I could not have put so favorable a construction upon the evidence in this case, as this statement compels me to give to it; and it would not have been without serious difficulty that I should have discovered an authority to interfere and arrest the execution of this sentence.

How far I may be right in permitting this statement of the jurors, made without oath, so materially to modify the influence upon my action of their verdict upon oath, has been a serious question with me, and may be with others; but I have not been able to convince myself that I have the right to deny to the statement full authority, as truly expressing the beliefs and disbeliefs of the jurors who have signed it, upon certain points of the testimony particularly stated; and yielding so much to it, brings this conviction upon the same legal ground, upon which my own conclusions, from the report of the judge, have placed that of Van Steenburgh.

The conduct of these jurors, in the jury box, being as they were citizens of the same county, and entertaining, of course, the sympathies of citizens for their fellow-citizens and neighbors; the firmness with which they pronounced their verdicts upon the law and the facts, regardless of consequences to themselves or others, has given to their subsequent statements, in both these cases, a greatly increased weight, in my mind.

The personal standing, and claims to favor, of this defendant are very different from those of Van Steenburgh. He is older by four years; has a fair education; is intelligent, shrewd and experienced beyond the average of young men of his years and in his circumstances and condition of life. He has, too, held leading situations among the disguised men, and was elected a chief by a small band of them, whom in that capacity he led to the place of the sale, on the very morning of the murder. Yet it does not appear that he acted as a chief upon the ground, nor that he has been in disguise, previous to this occasion, since the passage of a law making it a crime to appear disguised and armed.

Inasmuch, however, as I consider his case placed, by the statements of the jurors to which I have referred, and which I have copied, upon the same legal footing with that of Van Steenburgh, I cannot find enough in the difference between the personal standing and influence of this defendant and that of Van Steenburgh, to authorize me to insist upon the execution of this sentence, if I interfere to arrest the execution of the other.

Considering the two cases again together, therefore, and as standing upon the same footing for the purpose of my action, I am bound to assume that these defendants are not among those who fired upon the lamented Steele, and that their guilt consists in their being present, armed and disguised resisting the sheriff, which made them parties to the commission of the felony, and in that way legally guilty of the murder.

There are those who did fire, who did actually commit that cruel murder ; and there are those who did lead, command and control that flagrant proceeding.

It is because these defendants are not proved to have borne these relations to that daring crime, that the juries who tried them, so strongly urge the commutation of their sentences. And it is upon this ground, as uniformly expressed, that so many of the citizens of the State urge the same interposition. Upon this point there has been a harmony and a strength of expression, very seldom witnessed upon a similar question. The feeling seems to be almost universal, that while so many were guilty of the actual killing of the lamented Steele, and so many more were principals in urging on, commanding and directing those who were so guilty, a punishment in the State prison for life, is a sufficient degree of severity to be exercised towards those, who stand in the second degree of moral guilt, as only parties to the felony which laid the foundation for the murder.

In speaking of the public expression, I refer more especially to that proceeding from the counties removed from the excitements which have brought about this insurrection ; and from citizens of the highest standing and respectability ; all of whom have a deep stake in the preservation of public order ; and many of whom are directly and deeply interested in the very controversies, which have led to these crimes. That a strong feeling of sympathy for these defendants should have prevailed in the counties pervaded by these excitements, and a strong expression in their favor should have come from them, were results to be anticipated ; but that, from the counties where there has been but one opinion and one voice in relation to these disturbances ; where all resistance to the law has been viewed with unqualified disfavor ; and where this murder has been universally looked upon as the most aggravated offence in our whole calendar of crime, a united voice in favor of the commutation of the sentences of these defendants should be expressed, was not so naturally to have been expected. Yet such has been the fact in numerous instances ; and it proves most clearly to me that, while the published reports of these proceedings, and especially of these trials, have been anxiously scrutinized, and while the disposition and determination to sustain the law and punish crime are in no degree yielded, there is a jealous care that no appearance of undue or unjust severity in executing the law shall afford a cloak or apology for future violations.

Thirteen persons are already undergoing their punishment in the State prison for this crime, four under sentences for life, and nine, for terms

varying from seven to ten years. In classification, these defendants are supposed to stand with the thirteen, and it seems to be considered that their punishments should be assimilated to the most guilty of their class, and the extreme punishment of the law be reserved for those, whose moral as well as legal guilt is without mitigation. This course, it is confidently asserted, will best promote the cause of law and order, because it will avoid all pretext for a complaint that inequality, or injustice, has characterized the execution of the law.

If I had not found the statements of the jurors in these cases, and especially in the case of O'Conner, controlling upon my action in this matter, these wide spread and strong expressions of a sound and unprejudiced public opinion, formed from a careful examination of the testimony in the cases, as publicly reported, recommending as they do the same commutations of the punishments, would have added great weight to those statements. The disposition, apparent upon the face of these expressions, to sustain the law, with the least practicable degree of rigour, and to try the effect of lenity rather than severity, wherever there is a ground for reasonable question as to the effect of the one or the other, upon the disturbed portion of the public mind, is worthy of an intelligent and patriotic people; and should have weight with their agents in the administration of the laws.

In addition to these reasons, inclining my mind towards the commutation of these sentences, four of the county judges, who were members of the oyer and terminer, at the time of the trials of these defendants, have, with a feeling honorable to their characters as judges, communicated to me the fact that they have been solicited to sign petitions for the commutation of these sentences, and have declined to do so, not because their minds were made up in favor of the execution of the defendants, but because they did not consider it proper or expedient that they should interfere with the sentences of the court in that way. They state that their information, as to the recommendations of the respective juries, and as to the expressions of the public judgment, is not such as to enable them to form conclusions from those evidences; and that their impressions, derived from the trials, would leave them in great doubt what advice they ought to give, if called upon to give any; but they feel it to be their duty to advise me that, if my sense of public duty, from all the facts before me, shall lead me to the conclusion to commute the sentences, they shall most cheerfully concur in that decision. The remaining judge was absent from the State and could not be consulted.

I regret to be compelled to say that the evidences before me do not authorize the belief that all disposition to resist the law has been surrendered; and I have no right to hope that there are not those, in the excited counties, who will seek to make the commutation of these sentences the foundation for new encouragement to their deluded followers, who have been engaged in opposition to its execution. I will hope that such efforts will be confined to the few, and that the many, who have been deceived and led away by unprincipled leaders and

demagogues, have already seen enough of the unmixed evil of their unlawful course, to satisfy them that neither wealth, nor happiness, nor liberty, nor security are to be found in that direction.

If, however, this reasonable expectation shall be disappointed, and the commutation of these sentences shall be made an encouragement to farther crimes, the public, as well as those entrusted with the execution of the laws, will be consoled by the reflection that lenient means were tried and spurned, before the rule of extremest severity is adopted as the only alternative.

I have been urged to find a ground for commuting these sentences, in the consideration that the offences are political, and therefore entitled to a different, and more lenient treatment, than ordinary offences of similar grades. To my mind this consideration presents no meliorated aspect of this murder. If I could, in my classification, call this insurrection, commenced and prosecuted to resist the collection of admitted debts, a rebellion, or attempt at revolution of the State government, I should find, I fear, much more room to add the crime of treason to the catalogue already made up, than to discover a ground for indulgence in its political character.

The other considerations, however, which I have presented, have induced me, not without much hesitation, to conclude that the commutation of these sentences may be more beneficial to the cause of law and order, than the execution of the defendants. If I have not mistaken that point, my public duty is plain, and its performance in entire accordance with the personal feelings, which must prevail with every citizen. But for a firm belief in its imperious necessity, no one would desire a public execution, and when there appears to be even an equal probability that a mitigated punishment may produce equally salutary results upon the great interests of society involved, a trial of the lenient course would seem to me to be alike the dictate of duty and inclination.

I have, therefore, decided to commute the sentences of the prisoners in your custody, John Van Steenburgh and Edward O'Conner, from that of death, pronounced by the court, to that of imprisonment in the State prison, during the terms of their respective natural lives, and I shall send you herewith the necessary papers to authorize you to transport them to, and deliver them at the proper prison.

I am very respectfully,

Your ob't serv't,

SILAS WRIGHT.

PROCLAMATION

By **SILAS WRIGHT**, *Governor of the State of New-York.*

By proclamation, issued on the 27th day of August last, in conformity with the provisions of the 19th section of the act entitled "An

Act to enforce the laws and preserve order," passed April 15, 1845, the county of Delaware was declared to be in a state of insurrection, according to the provisions, and true intent and meaning of that act.

The reasons for that declaration, and the evidences upon which they rested, were given at length in the proclamation.

It is now certified to me by the principal civil authorities of the county, the same upon whose application I am required by the law to make the above declaration, that they hope and believe the insurrection recently prevailing in that county is effectually quelled. This certificate of the sheriff, district attorney, and judges of the county, is concurred in by other prominent civil officers of the county, by the officer in command of the State troops in service there, and by several distinguished citizens of Delaware, all expressing this hope and belief, though not entirely free from apprehension.

Indulging strongly the hope, patriotically expressed by these individuals, that what has transpired in that county will satisfy all, that the laws must and will be executed; and also, that a revocation of the proclamation, declaring the county in a state of insurrection, and a withdrawal of the military force in service there, may tend to allay irritation, and to restore sober reason and calm reflection to the minds of the excited portion of that population; I cheerfully avail myself of the occasion thus presented, to recall a declaration made under a sense of imperious public duty, to withdraw all the military force in the service of the State from the county of Delaware; and to leave that heretofore peaceful and patriotic county, again to the natural love of order of its inhabitants, and to the fidelity and energy of its own civil authorities. If evil influences shall hereafter be carefully avoided, and bad counsels firmly resisted by those who have once yielded to dangerous delusions, insurrection will not again make its appearance in this county; and time, forbearance, and good conduct, will soon wear out the deforming traces of that which has terminated.

In the earnest hope that the wisdom and patriotism of the people of that county will be unitedly and unremittingly exerted to secure to themselves, their families, and their cherished county, these most desirable results.

I do hereby, in conformity with the provision of the same section of the law which directed it, revoke my proclamation of the 27th day of August last, declaring the county of Delaware to be in a state of insurrection, from and after Monday, the 22d day of the present month, and declare that the same shall cease, and have no force or effect from and after that day.

In testimony whereof, I have hereunto affixed the privy seal of the State. Witness my hand, at the city of Albany, this
[L. S.] eighteenth day of December, in the year of our Lord,
one thousand eight hundred and forty-five.

SILAS WRIGHT.

By the Governor,
HORACE MOODY, *Private Secretary.*

On motion of Mr. Sedgwick,
Ordered, That the Governor's message be laid on the table, and that fifteen times the usual number of copies thereof be printed.

[See Senate Document No. 2.]

Mr. Lester offered the following concurrent resolution, which was read and laid on the table, to wit:

Resolved, (if the Assembly concur,) That the Senators in Congress from this State be instructed, and that the Representatives in Congress from this State be requested, to use their efforts to prevent the passage by Congress of any law which shall provide for the imposition of higher rates of postage than those now fixed by law.

Resolved, (if the Assembly concur,) That the President of the Senate and the Speaker of the Assembly, be requested to transmit a copy of the foregoing resolution to each of the said Senators and Representatives.

On motion of Mr. Lester,

Ordered, That the usual number of copies of said resolutions be printed.

Mr. Wright gave notice that he would at some future time ask leave to introduce a bill to subject the rents reserved on certain leasehold estates to taxation; also, a bill to repeal the acts to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843, and the act to amend the same, passed March 7, 1845.

Then the Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 7, 1846.

The Senate met pursuant to adjournment.

The minutes of yesterday having been read and approved,

Mr. Sedgwick presented the petition of Isaac Thompson and others, for relief for building locks on the Erie canal enlargement, which was read and referred to the committee on claims, when appointed.

Mr. Sedgwick presented the letter of N. S. Benton, Secretary of State, and the petition of Charles B. Sedgwick, in relation to the Natural History of New-York, which were read and referred to the committee on literature, when appointed.

Mr. Mitchell presented the petition of George I. E. Losher, for a law authorizing the adjustment and payment of damages he has sustained in consequence of the raising the banks on the Erie canal, which was read and referred to the committee on claims, when appointed.

Mr. Folsom presented the petition of the executors of James Dobbin deceased, for authority to sell or change a portion of testator's estate for certain purposes therein stated, which was read and referred to the committee on the judiciary, when appointed.

Mr. Sanford presented the memorial of the New-York Historical Society, for a revival and amendment of its act of incorporation, which was read and referred to the committee on literature, when appointed.

Mr. Jones presented the petition of Wm. H. Groesbeck of the city of New-York, for a law dissolving the marriage connection between himself and wife Sarah, for wilful and malicious desertion on her part, which was read and referred to the committee on the judiciary, when appointed.

Mr. Van Schoonhoven presented the petition of Nathan S. Hollister, for remuneration for injury to his property in West-Troy, occasioned by widening the Erie canal, which was read and referred to the committee on claims, when appointed.

Mr. Van Schoonhoven presented the petition of Stephen Warren and others, for the incorporation of the Troy Gas Light Company, which was read and referred to the committee on manufactures, when appointed.

Mr. Wheeler presented a petition for the county of Conewango, which was read and referred to the committee on the division of towns and counties, when appointed.

Mr. Barlow presented the petition of John B. Moot, a purchaser of a lot of land under the Oneida purchase of 1840, for relief, which was read, and

On motion of Mr. Barlow,

Resolved, That the petition be referred to the Commissioners of the Land Office, and that they be requested to report the circumstances of the case so far as is in their power, together with their opinion of the equity of the relief prayed for, as soon as convenient.

Ordered, That the Clerk deliver a copy of said resolution to the Commissioners of the Land Office.

On motion of Mr. Hard,

Resolved, That the Canal Commissioners be requested to inquire and report to the Senate at an early day, whether in their opinion, economy in the expenditures of the public money may not be materially promoted by a change in the mode of conducting the repairs on the navigable canals, and if so what in their judgment would be the better mode.

Ordered, That the Clerk deliver a copy of said resolution to the Canal Commissioners.

Mr. Wright offered the following resolution, which was read and laid on the table, to wit:

Resolved, That so much of the message of the Governor as relates to the subject of leasehold estates, the complaints of the tenants in relation thereto, and the remedies proposed therefor, be referred to a select committee of three members of the Senate.

Mr. Chamberlain offered the following preamble and resolution, which was read and laid on the table, to wit :

Whereas, the people of this State, by their representatives in Senate and Assembly convened, did, on the 6th day of May, 1836, enact as follows, viz :

"§ 1. The Canal Commissioners shall proceed with all reasonable diligence to construct and complete a navigable canal, from the Erie canal in the city of Rochester, through the valley of the Genesee river, to a point at or near Mt. Morris, and from thence by the most eligible route to the Allegany river, at or near Olean, and also a branch of the same, commencing at or near Mt. Morris, and extending up the Canaseraga creek to the village of Dansville."

And also in the same manner and form did, on the 19th day of April, 1836, enact as follows :

"§ 1. The Canal Commissioners shall proceed with all reasonable diligence to construct a navigable canal, from the High falls on the Black river, in the county of Lewis, by the most advantageous route, to the Erie canal at Rome, and also a navigable feeder from the Black river, to the summit level near the village of Boonville."

And whereas, the people of this State, by their agents, the Canal Commissioners, have proceeded under the several acts above specified, to the construction of the said canals, and have actually expended on the Genesee-Valley canal over three millions five hundred thousand dollars, and leaving only about one million of dollars to complete the same : and also, on the Black river canal, there has been expended one million five hundred thousand dollars, leaving to be expended to complete the same, about three hundred thousand dollars, showing that these works are more than three-fourths completed, and but a small portion brought into use. And whereas, vast amounts of property have changed hands, and large sums of money have been invested in view of the completion of said canals, and many other business arrangements have been made with the same view by a large and respectable portion of our fellow-citizens :

Therefore,

Resolved, That in the judgment of this Senate, the faith of the State is solemnly pledged to carry forward to completion these works, as soon as the finances of the State shall be in a condition to do the same : and if not now in such condition, good economy requires that the works in progress should be protected and preserved.

Mr. Lester gave notice that he would at some future time ask leave to introduce a bill to authorize the Seneca Road Company to abandon a portion of their road.

Mr. Porter offered the following resolution,

Resolved, That the 27th standing rule of the Senate be amended by inserting after the words "religious societies" the following: "25. On retrenchment," and by striking out the figures "25" in the next line, and inserting "26."

Mr. President put the question on agreeing to the said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lester	Mr. Van Schoonhoven
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Wright
Mr. Emmons	Mr. Scovil	Mr. Young
Mr. Folsom	Mr. Sanford	

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FOR THE NEGATIVE.

Mr. Lott

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On motion of Mr. Spencer,

Ordered, That the petition of Munson and Hart, with the accompanying papers, and the petition of Sayre and House, with the accompanying papers be taken from the files, and referred to the committee on claims, when appointed.

On motion of Mr. Jones,

Ordered, That the concurrent resolutions offered by him, as read in the Journal of yesterday relative to Oregon; also, the concurrent resolution offered by Mr. Porter yesterday, be committed to a committee of the whole.

On motion of Mr. Sedgwick,

Resolved, That a respectful message be transmitted to the Honorable the Assembly, with a request, that they transmit to the Senate the petition and other papers on file with them, in relation to the claim of Patrick Cooney.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Wright,

The Senate proceeded to the further consideration of the concurrent resolution heretofore offered by him, which was read as in the Journal of yesterday, relative to the joint library committee.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The Senate then proceeded to the further consideration of the concurrent resolution offered by Mr. Johnson, as read in the Journal of yesterday, relative to the joint rules.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver a copy of said resolutions to the Assembly, and request their concurrence in the same respectively.

Mr. Porter asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing,' passed January 21, 1843, and to regulate the printing for the Senate and Assembly," which was read the first time, and by unanimous consent was also read a second time, and on motion of Mr. Porter, committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Wright pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to repeal the 'Act to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843,' and the act to amend the same, passed March 7, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance, when appointed.

Mr. Wright, pursuant to notice, asked for and obtained leave to bring in a bill entitled "An act to subject the rents reserved on certain leasehold estates to taxation," which was read the first time, and by unanimous consent was also read a second time and laid on the table.

On motion of Mr. Wright,

Ordered, That the usual number of copies of said bill be printed.

Mr. Lester offered the following resolution,

Resolved, That the standing rules of the Senate be so amended as to authorize the appointment of a standing committee, to be denominated "the law committee."

Mr. President put the question on agreeing to the said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
Mr. Deyo	Mr. Porter	Mr. Williams	
Mr. Folsom	Mr. Sedgwick	Mr. Young	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith	
Mr. Burnham	Mr. Jones	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Scovil	Mr. Wheeler	
Mr. Emmons	Mr. Sanford	Mr. Wright	15

Then the Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., JANUARY 8, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday having been read and approved,

The President announced the standing committees of the Senate.

Thereupon,

Ordered, That Mr. Johnson, Mr. Wheeler and Mr. Emmons, be a committee on claims.

Ordered, That Mr. Porter, Mr. Hand and Mr. Spencer, be a committee on finance.

Ordered, That Mr. Lott, Mr. Putnam and Mr. Wright, be a committee on the judiciary.

Ordered, That Mr. Clark, Mr. Chamberlain and Mr. Jones, be a committee on the militia.

Ordered, That Mr. Denniston, Mr. Scovil and Mr. Sanford, be a committee on canals.

Ordered, That Mr. Hard, Mr. Beekman and Mr. Williams, be a committee on railroads.

Ordered, That Mr. Burnham, Mr. Deyo and Mr. Mitchell, be a committee on roads and bridges.

Ordered, That Mr. Young, Mr. Sedgwick and Mr. Folsom, be a committee on literature.

Ordered, That Mr. Hand, Mr. Backus and Mr. S. Smith, be a committee on State prisons.

Ordered, That Mr. Lester, Mr. Talcott and Mr. Beers, be a committee on banks and insurance companies.

Ordered, That Mr. Jones, Mr. S. Smith and Mr. Wheeler, be a committee on the division of towns and counties.

Ordered, That Mr. J. B. Smith, Mr. Beekman and Mr. Emmons, be a committee on agriculture.

Ordered, That Mr. Putnam, Mr. Jones and Mr. Beers, be a committee on commerce and navigation.

Ordered, That Mr. Barlow, Mr. Clark and Mr. Van Schoonhoven, be a committee on manufactures.

Ordered, That Mr. Backus, Mr. Beekman and Mr. Barlow, be a committee on medical societies and medical colleges.

Ordered, That Mr. Deyo, Mr. Talcott and Mr. Sanford, be a committee on privileges and elections.

Ordered, That Mr. Lester, Mr. Folsom and Mr. Beers, be a committee on engrossed bills.

Ordered, That Mr. Chamberlain, Mr. Folsom and Mr. Emmons, be a committee on Indian affairs.

Ordered, That Mr. Emmons, Mr. J. B. Smith and Mr. Van Schoonhoven, be a committee on expiring laws.

Ordered, That Mr. Mitchell, Mr. Wright and Mr. Denniston, be a committee on public expenditures.

Ordered, That Mr. Beers, Mr. Lester and Mr. Hand, be a committee on the incorporation of cities and villages.

Ordered, That Mr. Scovil, Mr. Lott and Spencer, be a committee on public buildings.

Ordered, That Mr. Beekman, Mr. Sedgwick and Mr. Williams, be a committee on the poor laws.

Ordered, That Mr. Clark, Mr. Burnham and Mr. Emmons, be a committee on charitable and religious societies.

Ordered, That Mr. Sedgwick, Mr. Hard and Mr. Talcott, be a committee on printing.

Ordered, That Mr. Talcott, Mr. Porter and Mr. Mitchell, be a committee on retrenchment.

Ordered, That Mr. Jones, Mr. Folsom and Mr. Wright, be the joint library committee on the part of the Senate.

Mr. Sanford presented the memorial of inhabitants of the city of New-York, in communion of the Protestant Episcopal church, praying a repeal or amendment of the act entitled "An act to alter the name of the corporation of Trinity Church in New-York, and for other purposes," passed January 25, 1814, which was read and referred to the committee on charitable and religious societies.

Mr. Denniston presented the petition of the supervisors of Orange county, for the passage of a law making the district attorney of that county a salaried officer, which was read and referred to the committee on the judiciary.

On motion of Mr. Johnson,

Resolved, That there be added to the present standing committees of the Senate, a new committee to be called the committee on grievances.

The President announced, and

Thereupon,

Ordered, That Mr. Hand, Mr. Scovil and Mr. J. B. Smith, be a committee on grievances.

A copy of a preamble and resolutions was received from the Assembly, and read in the words following, to wit :

Whereas, in obedience to numerous petitions and other indications of a general public opinion, the last Congress of the United States passed a law materially reducing postage on letters, passing through the mail, below former rates; in the propriety of which reduction the people of this State have accorded with great unanimity; and many are of opinion there should be a still further reduction; and whereas, indications have been given that an attempt will be made in the present Congress to raise the charges on mail letters above the present rates.

Therefore,

Resolved, As the sense of this Legislature, (if the honorable Senate concur herein,) That the rates of letter postage are already sufficiently high, and should not be increased; that the present system has not yet been in operation sufficiently long to test its propriety or fully ascertain its results.

Resolved, That our Senators and Representatives in Congress be re-

quested to use their best endeavors to prevent any increase of the present rates of postage.

Resolved, That copies of the foregoing resolutions be transmitted to each of our Senators and Representatives.

Ordered, That said preamble and resolutions be laid on the table.

On motion of Mr. Johnson,

Resolved, That the Commissioners of the Land-Office report to the Senate the construction they have given to the act entitled "An act for the relief of certain purchasers of lands in the Oneida Reservation, in 1840 and 1841," passed April 4, 1845, and what action, if any, has been had under it by said Commissioners, specifying the number of persons who have surrendered their certificates pursuant to the provisions of said act, and the number of persons who have not surrendered such certificates, and to whom no relief has been extended.

Ordered, That the Clerk deliver a copy of said resolution to the Commissioners of the Land-Office.

By unanimous consent, Mr. Barlow presented the petition of John H. Vedder and others, Oneida purchasers, for relief, which was read and referred to the Commissioners of the Land-Office, for their report thereon.

Mr. Barlow presented the petition of William A. Stone, for relief, which was read and referred to the committee on claims.

Mr. Talcott gave notice that he would at some future time ask leave to introduce a bill, to amend section fifth, of title first, part third and chapter third, of the Revised Statutes.

On motion of Mr. Wright,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit:

Resolved, That so much of the message of the Governor as relates to the subject of leasehold estates, the complaints of the tenants in relation thereto, and the remedies proposed therefor, be referred to a select committee of three members of the Senate.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

On motion of Mr. Wright,

Ordered, That the bill entitled "An act to subject the rents reserved on certain leasehold estates to taxation," be referred to the same select committee.

Mr. Chamberlain moved that the usual number of copies of the preamble and resolutions offered by him, relative to the Genesee-Valley and Black river canals, as read in the Journal of yesterday, be printed, which motion was referred to the committee on printing.

Mr. Barlow gave notice that he would at some future time ask leave to introduce a bill to provide for the trial of all criminal offences, not punishable in the State prison, otherwise than before courts of oyer and terminer and general sessions.

Mr. Porter asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act relat-

ing to excoise and to licenseng retailers of intoxicating liquors,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and on motion of Mr. Porter, committed to a committee of the whole.

Mr. Porter moved that said bill be printed, which motion was referred to the committee on printing.

Mr. Sedgwick, from the committee on printing, reported in favor of said motion, which was agreed to by the Senate.

Thereupon,

Ordered, That the usual number of copies of said bill be printed.

Mr. Lott gave notice that he would at some future time ask leave to introduce a bill in relation to usury.

On motion of Mr. Jones,

The Senate then resolved itself into a committee of the whole on the several concurrent resolutions heretofore offered by Mr. Jones and Mr. Porter, relative to Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Wright moved that the amendments proposed in committee of the whole, by Mr. Clark and himself, respectively, to the concurrent resolutions offered by Mr. Jones, be printed.

Thereupon,

On motion of Mr. Lott,

Ordered, That the rule be suspended, and that the question be taken directly on Mr. Wright's motion.

Mr. President then put the question on agreeing to Mr. Wright's motion, and it was decided in the affirmative.

Thereupon,

Ordered, That the usual number of copies of said amendments respectively, be printed.

Mr. Lester, pursuant to notice, asked for and obtained leave to bring in a bill entitled "An act to authorize the president and directors of the Seneca Road Company, to abandon a part of their road," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Then the Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 9, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Wm. H. Campbell, D. D.

The minutes of yesterday having been read and approved,

Mr. Johnson presented two several petitions from the counties of Chautauque and Cattaraugus, for a new county from parts of Erie, Cattaraugus and Chautauque counties, which were read and referred to the committee on the division of towns and counties.

Mr. Burnham presented resolutions passed by the board of supervisors of Broome county, in favor of abolishing the office of county superintendent of common schools, which was read and referred to the committee on literature.

Mr. Barlow presented the petition of inhabitants of Madison county, for an equal distribution of the public moneys to the several school districts, which was read and referred to the same committee.

Mr. Spencer presented the petition of Jarvis M. Hatch and others, citizens of Oneida county, for the relief of James Sheepen, which was read and referred to the committee on claims.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print the preamble and resolutions offered by Mr. Chamberlain, on the 7th inst., relative to the Genesee-Valley and Black river canals, reported in favor of said motion, which was agreed to by the Senate.

Thereupon,

Ordered, That the usual number of copies of said preamble and resolution be printed.

Mr. Chamberlain moved that said preamble and resolution be referred to the committee of the whole, which motion was laid on the table.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of Wm. H. Groesbeck, of the city of New-York, for a law dissolving the marriage connection between himself and wife Sarah, for wilful and malicious desertion on her part, reported adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Mr. Lott, from the same committee, to whom was referred the petition of the supervisors of Orange county, for the passage of a law making the district attorney a salaried officer, asked for and obtained leave to report a bill entitled "An act concerning the district attorney of the county of Orange," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 7th inst., adopting the joint rules.

On motion of Mr. J. B. Smith,

Resolved, That the Clerk of the Senate furnish to each of the members, officers and reporters of the Senate a penknife, and that the expense thereof be paid out of the contingent fund of the Senate.

Mr. Sanford gave notice that he would at some future time ask leave to introduce a bill entitled "An act to amend an act relative to incorporations for manufacturing purposes."

Mr. Lester gave notice that he would at some time ask leave to introduce a bill, to reduce the salaries of the clerks of the supreme court, and of the register, assistant register, and clerks in chancery.

Mr. Porter gave notice that he would at some future time ask leave to introduce a bill, in relation to the publication of certain notices in the State paper.

The annual report of the Trustees of the State Library was received and read, and referred to the joint library committee.

Mr. Jones moved that 150 extra copies of said report be printed for the use of said Trustees, which motion was referred to the committee on public printing.

On motion of Mr. Johnson,

Resolved, That the petitions and papers in relation to the proposed new county of Schuyler, be taken from the files of the Senate, and referred to the committee on the division of towns and counties.

On motion of Mr. Spencer,

Resolved, That a respectful message be transmitted to the Assembly, requesting them to transmit to this House, the petitions and accompanying papers on file in that House, in the matter of the claims of Alfred Munson, Martin Hart, James Sayre and Alanson House.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

Mr. Talcott pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to amend section five of title first, part third, and chapter third of the Revised Statutes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Porter,

The Governor's message with the accompanying documents was committed to a committee of the whole, and the Senate resolved itself into a committee of the whole thereon, and after some time spent thereon, Mr. President resumed the chair, and Mr. Clark, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 10, 1846]

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday having been read and approved,

Mr. Beers presented the petition of inhabitants of the towns of Hanover, Arkwright, Villanova and Sheridan, Chautauque county, for a new county to be formed from parts of Erie, Cattaraugus and Chautauque counties, which was read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented three several petitions of inhabitants of the towns of Hanover, Sheridan and Perrysburgh, for the same purpose, which were read and referred to the same committee.

Mr. Spencer presented the petition of Grace Wells, and others, inhabitants of Oneida county, for the passage of a law to punish seduction and adultery as crimes, which was read and referred to the committee on the judiciary.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 150 extra copies of the annual report of the Trustees of the State Library for their use, reported against said motion.

On motion of Mr. Hand,

Ordered, That so much of the 41st standing rule of the Senate, as directs the usual number of communications from State officers, &c. to be printed of course, be suspended.

On motion of Mr. Hand,

That 150 extra copies of said report, with the schedule B., only, for the use of said Trustees, be printed.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Scovil
Mr. Barlow	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Hand	Mr. Spencer
Mr. Burnham	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Jones	Mr. Wheeler
Mr. Clark	Mr. Lott	Mr. Williams
Mr. Denniston	Mr. Mitchell	Mr. Wright

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FOR THE NEGATIVE.

Mr. Johnson	Mr. Sedgwick	Mr. Talcott
Mr. Lester	Mr. S. Smith	Mr. Young
Mr. Porter		

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Mr. Hand then moved that the usual number of copies of said report with the schedules annexed, except schedule A. be printed.

Mr. Sedgwick moved to strike out of said motion schedules D. and E. annexed to said report.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sedgwick	
Mr. Denniston	Mr. Lester	Mr. Talcott	
Mr. Deyo	Mr. Porter	Mr. Young	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith	
Mr. Barlow	Mr. Hand	Mr. Spencer	
Mr. Beers	Mr. Jones	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Lott	Mr. Wheeler	
Mr. Chamberlain	Mr. Mitchell	Mr. Williams	
Mr. Clark	Mr. Scovil	Mr. Wright	
Mr. Emmons	Mr. Sanford		21

Mr. President then put the question on agreeing to said first motion, and it was decided in the affirmative.

Thereupon,

Ordered, That the usual number of copies of said report with the schedules annexed, except schedule A., also 150 extra copies of said report and schedule B. only, be printed.

[Senate Document No. 4.]

Mr. Lott pursuant to notice asked for and obtained leave to bring in a bill entitled "An act in relation to usury," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Lester pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to reduce the salaries of the clerks of the supreme court, and of the register, assistant-register, and clerks in chancery," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on retrenchment.

On motion of Mr. Lester,

Resolved, That a message be sent to the Assembly requesting it to transmit to the Senate, the papers on file in the Assembly, in reference to an application at the last session, for the passage of a law to authorize the president and directors of the Seneca Road Company, to

abandon a part of their road, and that such papers when received, be referred to the committee on roads and bridges.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

Mr. Lester offered the following resolution :

Resolved, That the Comptroller be requested to report to the Senate the sums paid for salaries, clerk hire and office expenses, to the clerks of the supreme court, the register, assistant register, and clerks in chancery, for the year ending 30th June, 1845 ; and also, the amount of the fees which accrued at their respective offices during the same year, the portion thereof collected by the said officers, the portion of the balance thereof that can probably be collected by the county treasurers, and the expense of such collection, and the portion of the said balance which will probably prove to be uncollectable ; and the deficiency, if any, in the amount that has been or will be paid into the treasury as the avails of the fees of each of the said offices for the said year, to reimburse to the treasury the sums drawn therefrom for the salary, clerk hire and office expenses of its incumbent for the same period.

Mr. Lott moved to amend said resolution by adding thereto the following, which was assented to by Mr. Lester, viz :

Resolved further, That the Comptroller also report to the Senate the amount paid into the treasury, and also the amount charged and not paid in, for fees by the register, assistant register, and clerks of the court of chancery, and the clerks of the supreme court, since the act allowing them salaries went into effect, and that he also report the sums paid to those officers respectively during the period.

Mr. Hard moved to amend said resolution as amended by adding thereto the following, " and the clerk of the Senate and the clerk of the court for the correction of errors."

Thereupon,

Ordered, That said resolution as amended, with Mr. Hard's amendment, be laid on the table.

On motion of Mr. Beekman,

Resolved, That the select committee to be appointed on so much of the message of the Governor as relates to leasehold estates, &c., be increased to five.

Mr. Young offered the following concurrent resolution, which was read and laid on the table, to wit :

Resolved, (if the Assembly concur,) That this Legislature will adjourn on Tuesday, the 17th day of March next, at twelve o'clock, at noon.

On motion of Mr. Folsom,

Resolved, That the report made by the judiciary committee to the Senate last year, of a bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, &c.' passed May 16, 1837," be taken from the files and referred to the same committee.

Mr. Sedgwick offered the following resolution, which was laid on the table, to wit :

Resolved, That the 41st standing rule of the Senate be abolished.

Mr. Barlow asked for and by unanimous consent obtained leave to bring in a bill entitled "An act for the relief of Amos Kingsley and Archibald Campbell," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

On motion of Mr. Barlow,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that the papers on file in that House, relating to the claims of Amos Kingsley and Archibald Campbell, be taken from file and transmitted to the Senate, and when received be referred to the committee on claims.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Jones.

The Senate then again resolved itself into a committee of the whole on the concurrent resolutions heretofore offered by Mr. Jones and Mr. Porter, in relation to Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock on Monday morning.

MONDAY, 11 O'CLOCK, A. M., JANUARY 12, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bates.

The minutes of Saturday having been read and approved,
The President announced, and

Thereupon,

Ordered, That Mr. Wright, Mr. Spencer, Mr. Van Schoonhoven, Mr. S. Smith and Mr. Wheeler, be the select committee on so much of the Governor's message as relates to leasehold estates, the complaints of tenants and the remedies proposed therefor, &c.

Mr. Sedgwick presented the petition of Dudley P. Phelps of Syracuse, in relation to the sale of the Natural History of the State, which was read and referred to the committee on literature.

Mr. Hard presented the resolution of the board of supervisors of Niagara county, in favor of establishing a house of refuge for juvenile delinquents in the western part of this State, which was read and referred to the committee on State prisons.

Mr. Van Schoonhoven presented the petition of sundry inhabitants of Rensselaer and Washington counties, for an act to revive and amend the charter of the Phoenix Bridge Company, passed April 17, 1830, which was read and referred to the committee on roads and bridges.

Mr. Clark, from the committee on the militia, asked for and obtained leave to report the following concurrent resolutions, which were laid on the table, to wit :

WHEREAS, a well organized militia is indispensably necessary to preserve order at home, and ensure safety from abroad ; and under a government like ours is the chief reliable force, in cases of emergency to prevent internal dissention, and to repel foreign invasion ; and thus far has ever been found patriotic and reliable to sustain the laws of our government and the honor of our country ;

And whereas, Our young men are willing and ambitious to perform this duty in a manner creditable to themselves and beneficial to the public ; but they find the system now in force, so unwieldly, cumbrous, and ill-digested, that in their efforts to sustain it, they frequently meet with ridicule and opposition instead of countenance and support ;

And whereas, The several States have surrendered to the federal government the power "to provide for organizing, arming and disciplining the militia," in such manner as to prevent States individually from providing such reforms and systems as is necessary with the present increased population, to carry out the objects of government and a well organized militia ;

Therefore,

Resolved, (if the Assembly concur,) That it is the imperative and bounden duty of the general government "to provide for organizing, arming and disciplining the militia" of the several States in a manner consistent with the present increased population of the States, and that the present laws of Congress are inadequate to effect this object.

Resolved, (if the Assembly concur,) That in time of peace it is unnecessary and inexpedient to enrol persons under twenty-one or over thirty years of age.

Resolved, (if the Assembly concur,) That it is expedient to provide for classifying the militia so that some portion of them can be required to perform company and field duty each year, and for which they should be paid a reasonable compensation.

Resolved, (if the Assembly concur,) That provision should be made for raising and organizing volunteer corps, with such privileges and pay as shall be a reasonable compensation for the services required of them.

Resolved, (if the Assembly concur,) That instruction is necessary to discipline, and that provision should be made for instructing the militia in their duties.

Resolved, (if the Assembly concur,) That our Senators in Congress be instructed, and our Representatives be requested, to exert their influence to procure a reorganization and improvement of the militia of the several States.

Resolved, (if the Assembly concur,) That the Governor be requested to forward copies of these resolutions to the President of the United States, the Secretary at War, and to each of our Senators and Representatives in Congress.

Ordered, That the usual number of copies of said resolutions be printed.

Mr. Johnson, from the committee on claims, to whom was referred the petition of Wm. A. Stone, for relief, made a written report thereon, concluding with the following resolution, to wit :

Resolved, That the prayer of the petitioner be denied.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 6.]

The annual reports of the Butcher's and Drover's and National Banks of the city of New-York, of unclaimed dividends pursuant to law, were received and read.

Thereupon,

On motion of Mr. Jones,

Ordered, That said reports and all similar reports hereafter to be received, be laid on the table without being printed.

On motion of Mr. Chamberlain,

The Senate proceeded to the further consideration of the motion to commit to a committee of the whole, the preamble and resolution heretofore offered by him, relative to the Genesee-Valley and Black river canals.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sanford
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Hand	Mr. Sedgwick	Mr. Young

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Mr. Lester asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act relating to the redemption of bank notes,' passed May 4, 1840," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Johnson,

Resolved, That the petition of Isaac Thompson and others, and also the petition of Nathan S. Hollister, for relief, be referred to the Canal Commissioners, to report the facts of each case and the action of said Commissioners, if any, had thereon.

Ordered, That the Clerk deliver a copy of said resolution, together with the petitions therein mentioned, to the Canal Commissioners.

On motion of Mr. Young,

The Senate proceeded to the consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, (if the Assembly concur,) That this Legislature will adjourn on Tuesday, the 17th day of March next, at twelve o'clock, at noon.

Mr. Wright moved to amend said resolution by striking out the words "March," and inserting "February" instead thereof.

Mr. Jones moved to amend said resolution by striking out "17th" and inserting "31st."

Mr. President put the question on agreeing to Mr. Wright's motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Hard	Mr. Scovil
Mr. Burnham	Mr. Lester	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Wright
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. S. Smith
Mr. Barlow	Mr. Jones	Mr. Spencer
Mr. Beckman	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Van Schoonhoven
Mr. Deyo	Mr. Sedgwick	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Young

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Mr. President put the question on agreeing to Mr. Jones' motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Jones	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sanford	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Williams
Mr. Clark	Mr. Porter	Mr. Wright
Mr. Emmons	Mr. Scovil	Mr. Young

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Mr. Williams then moved that the whole subject be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Mitchell	Mr. Wheeler
Mr. Chamberlain	Mr. Sanford	Mr. Williams
Mr. Jones	Mr. S. Smith	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Deyo	Mr. Putnam	Mr. Young
Mr. Emmons	Mr. Scovil	

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Mr. Scovil then moved to amend said resolution by striking out "17th" and inserting "4th."

Mr. Talcott asked a division of the question.

Mr. President then put the question on striking out, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. Scovil
Mr. Burnham	Mr. Lester	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Putnam	Mr. Wright
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. S. Smith
Mr. Barlow	Mr. Johnson	Mr. Spencer
Mr. Beekman	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo	Mr. Sanford	17

Mr. Putnam then moved to amend said resolution by striking out the "17th" day of March, and inserting the "7th day of April."

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	5

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Mitchell	Mr. Williams
Mr. Clark	Mr. Porter	Mr. Wright
Mr. Denniston	Mr. Scovil	Mr. Young
Mr. Deyo	Mr. Sanford	26

Mr. Lott then moved to amend said resolution by striking out "17th" and inserting "10th."

Mr. Talcott asked a division of the question.

Mr. President put the question on striking out, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Folsom	Mr. Scovil
Mr. Burnham	Mr. Lester	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Wright
Mr. Emmons	Mr. Putnam	14

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. S. Smith
Mr. Barlow	Mr. Johnson	Mr. Spencer
Mr. Beekman	Mr. Jones	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. Sanford	

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Mr. President put the question on agreeing to the said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Wright
Mr. Folsom	Mr. Sedgwick	Mr. Young
Mr. Hand		

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FOR THE NEGATIVE.

Mr. Emmons	Mr. Williams
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Thereupon,

Resolved, That the resolution do pass.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

Then the Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M., JANUARY 13, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benedict.

The minutes of yesterday having been read and approved,

Mr. Sanford presented the petition of William C. Bryant and others, for the incorporation of the New-York Portable Gas Association, which was read and referred to the committee on manufactures.

Mr. Van Schoonhoven presented the petition of L. G. Cannon, S. Warren and others, for an act of incorporation for the manufacture of iron, which was read and referred to the same committee.

Mr. Sedgwick presented the petition of members of the Teachers Institute of Onondaga county, for funds to assist teachers' institutes in the several counties of this State, which was read and referred to the committee on literature.

Mr. Spencer presented the petition of inhabitants of the village of Rome, in relation to the common schools of said village, which was read and referred to the same committee.

Mr. Wright presented three several petitions of inhabitants of Leon, Cattaraugus county, and Hanover and Villenova Chautauque county, for a new county, which were read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented two several petitions for the like purpose, which were read and referred to the same committee.

Mr. Spencer presented four several petitions for the same purpose, which were severally read and referred to the same committee.

Mr. Young presented the memorial of the Niagara River Hydraulic Company for relief from a lease, &c., which was read and referred to the committee on canals.

Mr. Van Schoonhoven presented the petition of Mitchell Sanford, of the county of Greene, for the pardon of Moses Earl and others, and for other purposes, which was read and referred to the committee on the judiciary.

Mr. Young, from the committee on literature, to whom was referred the memorial of the New-York Historical Society, for that purpose, asked for and obtained leave to report a bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York Historical Society, passed February 10, 1809,' and to amend the same," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Lott asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent and imprisoned debtors," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Lester,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, as amended with Mr. Hard's proposed amendment thereto, directing the Comptroller to report relative to the salaries of the clerk of the supreme court, &c., which were read as in the Journal of the 10th instant.

Mr. Hard then withdrew his amendment.

Mr. President put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

Mr. Lester offered the following resolution, which was laid on the table, to wit:

Resolved, That on and after next Monday, the Senate will meet at ten o'clock in the forenoon.

On motion of Mr. Lott,

Resolved, That the committee on retrenchment inquire into and report on the expediency of the repeal of all laws allowing a salary to the register, assistant register, and clerks in chancery, and clerks of the supreme court, and for allowing to them instead thereof, the fees now paid to those officers.

On motion of Mr. Porter,

Resolved, That the memorial of James Harper, Jonathan Thompson and others, presidents of banks and incorporated companies, praying for an amendment of the Revised Statutes in relation to taxing nominal, instead of actual capital, and the accompanying papers be taken from the files of the Senate, and referred to the committee on finance.

On motion of Mr. Backus,

Resolved, That the Clerk procure the usual number of copies of the diagrams of the Assembly and Senate chambers respectively, for each of the members and officers of the Senate.

On motion of Mr. Young,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole on the Governor's message and accompanying documents, and after some time spent thereon, Mr. President resumed the chair, and Mr. Clark from said committee, reported that they had agreed to certain resolutions, which was agreed to by the Senate.

Thereupon,

Ordered, That so much of the Governor's message as relates to the financial affairs of the State, be referred to the committee on finance.

Ordered, That so much thereof as relates to the canals, be referred to the committee on canals.

Ordered, That so much thereof as relates to education, be referred to the committee on literature.

Ordered, That so much thereof as relates to the militia, be referred to the committee on the militia.

Ordered, That so much thereof as relates to reapportioning the rep-

representation in the Legislature, be referred to a select committee of one from each Senate district.

Ordered, That so much thereof as relates to the State prisons, be referred to the committee on State prisons.

Ordered, That so much thereof as relates to the Mariners Fund, be referred to the committee on commerce and navigation.

Ordered, That so much thereof as relates to the State Lunatic Asylum at Utica, be referred to the committee on medical societies and medical colleges.

Ordered, That so much thereof as relates to the expense incurred by counties in suppressing the late disturbances, be referred to the committee on public expenditures.

Ordered, That so much thereof as relates to the census of the Indians residing in this State, and to statistics generally, be referred to the committee on Indian affairs.

Ordered, That so much thereof as relates to federal relations be referred to the same committee of the whole, having in charge the resolutions of the Senate from the first and those of the Senator from the seventh.

Ordered, That so much thereof as relates to the enforcement of the law and the preservation of order, be referred to the committee on the judiciary.

Then the Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 14, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bates.

The minutes of yesterday having been read and approved,

The President announced, and

Thereupon,

Ordered, That Mr. Lester, Mr. Lott, Mr. Denniston, Mr. Johnson, Mr. Young, Mr. Scovil, Mr. Burnham and Mr. Putnam, be the select committee on so much of the Governor's message as relates to reappportioning the representation in the Legislature.

Mr. Denniston presented the petition of citizens of Westchester county, asking that the third and fourth sections of an act passed last session of the Legislature entitled "An act in relation to the superintendents of the poor in the county of Westchester, and for other purposes," be repealed, which was read and referred to the committee on poor laws.

Mr. Barlow presented two several petitions of citizens of Chautauque county, for a new county, which were read and referred to the committee on the division of towns and counties.

Mr. Emmons presented two several petitions from inhabitants of Day-

ton and Perrysburgh, for the same purpose, which were read and referred to the same committee.

Mr. Putnam presented the petition of citizens of the village of Le-Roy, Genesee county, for the appointment of a supreme court commissioner, to reside in said village, which was read and referred to the committee on the judiciary.

Mr. Sanford presented the petition of the board of foreign missions of the Presbyterian church in the United States of America, for an act of incorporation, which was read and referred to the committee on charitable and religious societies.

A message was received from the Assembly transmitting to the Senate, pursuant to their request, the petition and papers relating to the claim of Patrick Cooney, for relief, which said petition and papers were read and referred to the committee on claims.

Mr. Porter presented the report of the inspectors of the State prison at Auburn; also the report of Luman Sherwood, one of said inspectors, which were read and referred to the committee on State prisons.

Mr. S. Smith presented the annual report of the inspectors of the Mount-Pleasant State prison, with accompanying documents, which were read and referred to the same committee.

Mr. S. Smith moved that 250 extra copies of said reports respectively, with the accompanying documents be printed, which motion was referred to the committee on public printing.

The report of the Commissioners of the Land-Office, answering the resolution of the Senate of the 9th inst., relative to the construction they had given to the act for the relief of certain purchasers of lands in the Oneida Reservation in 1840 and 1841, passed April 4, 1845, was received and read, and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 9.]

The Commissioners of the Land-Office, to whom was referred by the resolution of the Senate of the 8th inst., the petition of John H. Vedder and others, made a written report thereon, which was read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 7.]

The Commissioners of the Land-Office, to whom was referred the petition of John B. Moot, by the resolution of the Senate of the seventh inst., made a report thereon, which was read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 8.]

On motion of Mr. Backus,

Resolved, That so much of the recent State census as relates to the number of insane and idiots, be referred to the committee on medical societies and medical colleges.

Mr. Porter, pursuant to notice, asked for and obtained leave to bring in a bill entitled "An act in relation to the publication of certain notices in the State paper," which was read the first time, and by unanimous consent was also read a second time.

Mr. Porter moved that said bill be referred to the committee on re-trenchment.

Mr. Wright moved that the same be committed to the same committee of the whole, having charge of the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly."

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Scovil	Mr. Wheeler
Mr. Clark	Mr. Sanford	Mr. Wright
Mr. Hard		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Emmons	Mr. Putnam	

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Mr. President put the question on agreeing to Mr. Porter's motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Lester	Mr. Williams
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Deyo	Mr. Putnam	Mr. Young

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FOR THE NEGATIVE.

Mr. Beers	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Folsom	Mr. Scovil	Mr. Wheeler

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Mr. Wright then moved that the present and all intervening orders of business be laid on the table, and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Scovil
Mr. Beers	Mr. Lott	Mr. Van Schoonhoven
Mr. Burnham	Mr. Mitchell	Mr. Wheeler
Mr. Chamberlain	Mr. Putnam	Mr. Wright
Mr. Clark		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom	Mr. Sanford	Mr. Young
Mr. Hand		

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On motion of Mr. Sedgwick,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That the 41st standing rule be abolished.

Mr. Sedgwick then withdrew said resolution, and on his motion,

Resolved, That the 41st rule of the Senate be so amended as to read as follows :

There shall be printed of course and without reference, the usual number of communications from State officers, bills reported by committees and the reports of the committees of the Senate, unless otherwise ordered by the Senate.

On motion of Mr. Clark,

The Senate then again resolved itself into a committee of the whole on the several concurrent resolutions heretofore offered by Mr. Porter, and Mr. Jones, in relation to Oregon, the tariff, an independent treasury, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M.; JANUARY 15, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benedict.

The minutes of yesterday having been read and approved,

Mr. Hard presented the petition of inhabitants of Cattaraugus county, for a new county, from parts of Erie, Cattaraugus and Chautauque counties, which was read and referred to the committee on the division of towns and counties.

On motion of Mr. Hard,

Ordered, That all the maps and papers on file relative thereto, be referred to the same committee.

Mr. Williams presented resolutions adopted by the Farmer's Club of Yates county, asking that the railroad companies from Albany to Buffalo, be allowed to transmit live stock, fresh provisions, &c., at all seasons, free from tolls to the State, which was read and referred to the committee on railroads.

Mr. Mitchell presented the petition of inhabitants of the town of Herkimer, for a law to authorize a tax to repair a road between the village of Herkimer and Middleville, which was read and referred to the committee on roads and bridges.

Mr. Beekman presented the petition of the supervisors of the county of Greene, in relation to their town and county poor, which was read and referred to the committee on the poor laws.

Mr. Beekman presented the petition of the Hudson and Berkshire railroad company, for relief, which was read and referred to the committee on finance.

Mr. Johnson, from the committee on claims, to whom was referred the petition of Jarvis M. Hatch and others, citizens of Oneida county, for the relief of James Shehen, made a written report thereon, concluding with the following resolution.

Resolved, That the prayer of the petitioner be denied.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 11.*]

Mr. Backus, from the committee on medical societies and medical colleges, to whom was referred the subject of the State Lunatic Asylum at Utica, and so much of the recent State census as relates to the number of insane and idiots, made a written report thereon, which was read and laid on the table.

Mr. Jones moved that five times the usual number of copies of said report be printed, which motion was referred to the committee on public printing.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Board of Foreign Missions of the Presbyterian church in the United States of America," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

A message was received from the Assembly requesting the Senate to transmit to that House, the papers in relation to the claim of the heirs of Charles McKnight.

Thereupon,

Ordered, That the Clerk deliver said papers to the Assembly agreeably to their request.

The report of the Comptroller, answering the resolution of the Senate of the 13th instant, relative to the salaries and fees of the clerks of the supreme court, and register, assistant register, and clerks in chancery, was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report be printed.

[*Senate Document No. 10.*]

Mr. S. Smith offered the following concurrent resolution, which was laid on the table, to wit:

Resolved, (if the Assembly concur,) That the Geologist now engaged in preparing the reports on the agriculture and palaeontology of the State, be allowed to take such books from the State Library as are necessary for reference in preparing such reports, subject to the same restriction relative thereto as members of the Legislature now are.

Mr. Spencer asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the common schools in the city of Utica," which was read the first time, and by unanimous

consent was also read a second time, and referred to the committee on literature.

On motion of Mr. Porter,

The present and all intervening orders of business were laid on the table, and the Senate then again resolved itself into a committee of the whole on the bill entitled "An act to repeal the third section of the act entitled "An act to provide for the public printing, passed January 21, 1843," and to regulate the printing for the Senate and Assembly," and after some time spent thereon, Mr. President resumed the chair, and Mr. Barlow, from said committee, reported progress, and asked for and obtained leave to sit again.

Thereupon,

On motion of Mr. Sedgwick,

Ordered, That the usual number of copies of the amendments respectively offered to said bill in committee of the whole, be printed.

On motion of Mr. Folsom,

Resolved, That the Secretary of State be requested to communicate to the Senate the report of the agent for taking the census of the Indians, including such portions thereof as relate to their past and present condition.

Ordered, That the Clerk deliver a copy of said resolution to the Secretary of State.

Then the Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 16, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bates.

The minutes of yesterday having been read and approved,

Mr. Sanford presented the petition of the North American Fire Insurance Company of the city of New-York, for relief, which was read and referred to the committee on grievances.

Mr. Sanford presented the petition of Henry R. Remsen and others, for the incorporation of the Washington Fire Insurance Company, which was read and referred to the committee on banks and insurance companies.

Mr. Sanford presented the memorial of inhabitants of the city of New-York, in communion of the Protestant Episcopal Church, for the repeal or amendment of an act entitled "An act to alter the name of the corporation of Trinity Church in New-York, and for other purposes, passed January 25, 1814," which was read and referred to the committee on charitable and religious societies.

Mr. Putnam presented the petition of Heman J. Redfield and others, for perpetuating evidence of the deaths of Nicolaas Van Staphorst and

others, former joint tenants with others in the Holland Land Company's lands, which was read and referred to the committee on the judiciary.

Mr. Clark presented the petition of Charles Dewey for relief, with accompanying proofs, which were read and referred to the committee on claims.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print five times the usual number of copies of the report of Mr. Backus, from the committee on medical societies and medical colleges, relative to the insane and idiots, &c., reported against said motion, and in favor of printing three times the usual number of copies only, which was agreed to by the Senate.

Thereupon,

Ordered, That three times the usual number of copies only of said report be printed.

[See Senate Document No. 12.]

Mr. Porter, from the committee on finance, to whom was referred the petition of James Harper and others, for an amendment of the Revised Statutes, in relation to taxing nominal instead of actual capital, asked for and obtained leave to report a bill entitled "An act to amend the Revised Statutes in relation to the exemption of incorporated companies from taxation and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Young, from the committee on literature, to whom was referred the bill entitled "An act in relation to the common schools in the city of Utica," reported in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

Mr. Hand presented the report of the agent of the Clinton State prison, and moved that the usual number and 250 extra copies for the use of the agent be printed, which motion was referred to the committee on public printing.

Mr. Van Schoonhoven presented the report of the Troy Savings Bank of unclaimed deposits and dividends, which was laid on the table.

On motion of Mr. S. Smith,

The Senate proceeded to the further consideration of the concurrent resolution heretofore offered by him, which, as amended with his assent, was read in the words following, to wit:

Resolved, (if the Assembly concur,) That the Geologist now engaged in preparing the reports on the agriculture and palaeontology of the State, be allowed to take such books from the State Library, as are necessary for reference in preparing such reports, subject to the same restrictions relative thereto as members of the Legislature now are, and

under such restrictions as may be deemed proper by the Trustees of the Library.

Mr. President put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beckman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Lester	Mr. Scovil	Mr. Young	3
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Thereupon,

Resolved, That the said resolution do pass.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

On motion of Mr. Backus,

Resolved, That the honorable the Assembly be requested to transmit to this house, for legislative action here, the petitions, papers, &c., filed with the Clerk of the Assembly, in the matter of the claim of Thomas and Worden, in 1844, and when transmitted, that the same be referred to the committee on claims.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Putnam,

Resolved, That the Secretary of State furnish for the use of the Senate Library, eighteen copies of the Session Laws of the last session of the Legislature, in addition to the number heretofore furnished to said library.

Ordered, That the Clerk deliver a copy of said resolution to the Secretary of State.

Mr. Barlow pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to provide for the trial of certain criminal offences," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Spencer asked for and by unanimous consent obtained leave to bring in a bill entitled "An act relative to trials in courts of common

law jurisdiction," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

On motion of Mr. Clark,

The Senate proceeded to the further consideration of the preamble and concurrent resolutions heretofore reported by him, from the committee on the militia, relative to the militia, which were read as in the journal of the 12th instant.

Mr. Jones moved to amend the same by striking out the third resolution, which was read in the words following :

Resolved, (if the Assembly concur,) That it is expedient to provide for classifying the militia so that some portion of them can be required to perform company and field duty each year, and for which they should be paid a reasonable compensation ;" and substituting therefore the following, to wit :

Resolved, (if the Assembly concur,) That in time of peace it is inexpedient for Congress to provide for any thing more than an enrolment and classification of the militia, but that in case of the militia being required to perform company and field duty each year, they should be paid a reasonable compensation.

On motion of Mr. Young,

Said resolutions with the proposed amendments were committed to a committee of the whole.

Ordered, That the usual number of copies of said proposed amendment offered by Mr. Jones, be printed.

Mr. Clark moved,

That the present and all intervening orders of business be laid on table, and that the Senate again resolve itself into a committee of the whole on the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Beers	Mr. Lester	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Eimmons	Mr. Scovil	Mr. Williams
Mr. Folsom	Mr. Sanford	Mr. Wright
Mr. Hard		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Denniston	Mr. Deyo
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Mr. Hand
Mr. Johnson

Mr. Porter
Mr. Sedgwick

Mr. S. Smith
Mr. Young

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The Senate then again resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Barlow, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock to morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 17, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benedict.

The minutes of yesterday having been read and approved,

Mr. Folsom presented the petition of the National Fire Insurance Company of the city of New-York, for amendment of their charter, which was read and referred to the committee on banks and insurance companies.

Mr. Chamberlain presented the petition of inhabitants of Jefferson county, for an appropriation for the Black river canal, which was read and referred to the committee on canals.

Mr. Emmons presented two several petitions of inhabitants of the towns of Brandt and Hanover, for a new county from parts of Erie, Cattaraugus and Chautauque counties, which were read and referred to the committee on the division of towns and counties.

Mr. Johnson, from the committee on claims, to whom were referred the petitions, &c., of Amos Kingsley and Archibald Campbell, for relief, asked for and obtained leave to report for the consideration of the Senate a bill entitled "An act for the relief of Amos Kingsley and Archibald Campbell," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill, be printed.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 250 extra copies of the report of the inspectors, also of the report of L. Sherwood, one of the inspectors of the State prison at Auburn, reported against said motion.

Debates being had thereon, but without taking the question on agreeing with said committee in their report,

Mr. Johnson moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lester	Mr. Van Schoonhoven
Mr. Deyo	Mr. Porter	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom	Mr. Sanford	Mr. Wright
Mr. Hard	Mr. Spencer	Mr. Young
Mr. Johnson		

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FOR THE NEGATIVE.

Mr. Clark	Mr. Hand	Mr. S. Smith
Mr. Denniston	Mr. Lott	

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Thereupon the Senate adjourned to 11 o'clock on Monday morning.

MONDAY, 11 O'CLOCK, A. M., JANUARY 19, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benson.

The minutes of Saturday having been read and approved,

On motion of Mr. Lester,

The vote on the question of approving the minutes of Friday was reconsidered, and the minutes corrected by changing his vote from the negative to the affirmative, on the motion to go into a committee of the whole on the bill in relation to the public printing, then the said minutes as amended were approved.

Mr. Emmons presented the petition of 204 inhabitants of Collins, for a new county from parts of Chautauque, Erie and Cattaraugus counties, which was read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented two several similar petitions from inhabitants of Hanover and Evans, which were read and referred to the same committee.

Mr. Talcott presented the petition of citizens of Fulton, Oswego county, for the incorporation of the Young Men's Association in that village, which was read and referred to the committee on literature.

Mr. Talcott presented the petition of the president and cashier of Central Bank at Cherry-Valley, for a law to compel banks to redeem

at par in New-York and Albany, which was read and referred to the committee on banks and insurance companies.

Mr. Van Schoonhoven presented the petition of George W. Murray, praying that the State refund certain taxes, &c., paid by the petitioner upon lands in Clinton county, which was read and referred to the committee on grievances.

Mr. Hard presented the petition of Barber Kenyon, Carlton, Orleans county, for relief, which was read and referred to the committee on claims.

Mr. Hard presented the petition of James Mather, and seventy-eight others of Orleans county, for a law to prevent obstructing the navigation of Oak-Orchard creek, in said county, which was read and referred to the committee on commerce and navigation.

Mr. Backus, from the committee on medical societies and medical colleges, asked for and obtained leave to report a bill entitled "An act to authorize the establishment of a Lunatic Asylum in Western New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Barlow, from the committee on manufactures, to whom were referred sundry petitions, viz: of Stephen Warren and others, for the incorporation of the Troy Gas Light Company; of William C. Bryant and others, for the incorporation of the New-York Portable Gas Association, and of L. G. Cannon and others, for an act of incorporation for the manufacture of iron, made a written report thereon, and asked for and obtained leave to report three several bills with the following titles, to wit: "An act to incorporate the Troy Gas Light Company;" also, "An act to incorporate the New-York Portable Gas Company;" also, "An act to incorporate the Troy Vulcan Works," which were severally read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 13.*]

Mr. Young, from the committee on literature, to whom was referred the petition of citizens of the village of Rome, for that purpose asked for and obtained leave to report a bill entitled "An act in relation to common schools in the village of Rome," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last five mentioned bills respectively, be printed.

A bill was received from the Assembly for concurrence entitled "An act to extend the time for the collection of taxes for the year 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act authorizing the court of general sessions of the peace in the city of New-York, to extend the term of said court in certain cases," which

was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 250 extra copies of the report of the Inspectors of the Mount-Pleasant State prison, with the accompanying documents for the use of the agent, reported against said motion, and in favor of printing 150 extra copies only, and that the Clerk of the Senate furnish said agent therewith.

Mr. Lester moved to recommit said report, with instructions to said committee to examine and report what portions of the report of said Inspectors, with the accompanying documents should be printed.

Mr. Lott asked a division of the question.

Mr. Wright then moved to lay the whole subject on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Clark	Mr. J. B. Smith
Mr. Beers	Mr. Lott	Mr. Wheeler
Mr. Burnham	Mr. Mitchell	Mr. Wright
Mr. Chamberlain	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Williams
Mr. Hard	Mr. Sanford	Mr. Young

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Mr. President then put the question on recommitting said report, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Johnson	Mr. Sedgwick
Mr. Deyo	Mr. Lester	Mr. J. B. Smith
Mr. Folsom	Mr. Mitchell	Mr. Talcott
Mr. Hand	Mr. Porter	Mr. Young

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FOR THE NEGATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Emmons
Mr. Barlow	Mr. Clark	Mr. Hard

Mr. Jones	Mr. Scovil	Mr. Van Schoonhoven
Mr. Lott	Mr. Sanford	Mr. Wheeler
Mr. Putnam	Mr. S. Smith	14

Mr. Lester then moved to recommit said report with instructions, that the committee report whether an extra number of all the accompanying documents should be printed.

Mr. Lott asked a division of the question.

Mr. President put the question on recommitting, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Lester	Mr. J. B. Smith
Mr. Deyo	Mr. Mitchell	Mr. Takott
Mr. Folsom	Mr. Porter	Mr. Wheeler
Mr. Hand	Mr. Scovil	Mr. Young
Mr. Johnson	Mr. Sedgwick	14

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Van Schoonhoven
Mr. Burnham	Mr. Lott	Mr. Williams
Mr. Chamberlain	Mr. Putnam	Mr. Wright
Mr. Clark		16

Mr. Putnam then moved that two hundred and fifty extra copies of said report be printed for the use of said agent.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Jones	Mr. Spencer
Mr. Folsom	Mr. Putnam	Mr. Van Schoonhoven

FOR THE NEGATIVE.

Mr. Backus	Mr. Burnham	Mr. Hand
Mr. Barlow	Mr. Denniston	Mr. Hard
Mr. Beers	Mr. Emmons	Mr. Porter

Mr. Johnson
Mr. Lester
Mr. Lott
Mr. Sedgwick

Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith
Mr. Wheeler

Mr. Williams
Mr. Wright
Mr. Young

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The report of said committee was then agreed to by the Senate.

Thereupon,

Ordered, That the usual number of said report with the accompanying documents, and 150 extra copies thereof for the use of the agent be printed, and that the Clerk of the Senate furnish said agent therewith.

[See Senate Document No. 16.]

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 250 extra copies of the report of the agent of the Clinton State prison, for the use of said agent, reported against said motion and in favor of printing 150 extra copies only, and that the Clerk of the Senate furnish said agent therewith.

Mr. Putnam moved to amend said report by ordering printed four times the usual number, and 250 extra copies for the use of said agent.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain

Mr. Putnam

Mr. Van Schoonhoven 3

FOR THE NEGATIVE.

Mr. Backus

Mr. Hand

Mr. J. B. Smith

Mr. Barlow

Mr. Hard

Mr. S. Smith

Mr. Beers

Mr. Johnson

Mr. Spencer

Mr. Burnham

Mr. Lester

Mr. Talcott

Mr. Clark

Mr. Lott

Mr. Wheeler

Mr. Denniston

Mr. Porter

Mr. Williams

Mr. Deyo

Mr. Scovil

Mr. Wright

Mr. Emmons

Mr. Sedgwick

Mr. Young

Mr. Folsom

Mr. Sanford

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Mr. Putnam then moved to amend said report by ordering printed 1,100 copies, and 250 extra copies of said report for the use of said agent.

Mr. Wright asked a division of the question.

Mr. President put the question on printing 1,100 copies, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Sanford	11

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Folsom	Mr. Scovil	17

Mr. President put the question on printing 250 extra copies of said report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hand	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright , 18

FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Hard	Mr. Sedgwick	Mr. Young 12

Mr. Hard then moved that the whole subject be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. J. B. Smith	
Mr. Burnham	Mr. Hard	Mr. Wright	
Mr. Chamberlain	Mr. Lott		8.

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. S. Smith	
Mr. Beers	Mr. Lester	Mr. Spencer	
Mr. Denniston	Mr. Mitchell	Mr. Talcott	
Mr. Deyo	Mr. Porter	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Putnam	Mr. Wheeler	
Mr. Folsom	Mr. Sedgwick	Mr. Williams	
Mr. Hand	Mr. Sanford	Mr. Young	
Mr. Johnson			22

Mr. S. Smith then moved that twice the usual number of said report be printed.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Jones	Mr. Spencer	
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler	
Mr. Clark	Mr. Putnam	Mr. Williams	
Mr. Emmons	Mr. Sanford	Mr. Wright	
Mr. Hand	Mr. S. Smith		17

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick	
Mr. Beers	Mr. Johnson	Mr. J. B. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
Mr. Deyo	Mr. Porter	Mr. Young	
Mr. Folsom	Mr. Scovil		14

Thereupon,

Ordered, That twice the usual number of said report and 250 extra copies thereof for the use of said agent be printed, and that the Clerk of the Senate furnish said agent therewith.

[See Senate Document No. 14.]

Mr. Lott, from the committee on the judiciary, to whom was referred

the bill from the Assembly entitled "An act authorizing the court of general sessions of the peace in the city of New-York, to extend the term of said court in certain cases," reported in favor of the passage thereof, with an amendment, which was agreed to by the Senate, and

On motion of Mr. Lott,

Said amendment was ordered engrossed, and the bill to a third reading.

Thereupon, on motion of Mr. Lott,

Said bill with the engrossed amendment was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendment therewith delivered.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to extend the time for the collection of taxes for the year 1845," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Porter,

Said bill was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Clark moved that the present and all intervening orders of business be laid on the table, and that the Senate again resolve itself into a committee of the whole on the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Hand	Mr. Sedgwick	Mr. Young
Mr. Johnson	Mr. S. Smith	

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The Senate again resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Barlow, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Hard,

Ordered, That said bill be made the special order of the day for tomorrow, at half past 11 o'clock, A. M.

A message was received from the Assembly, requesting the Senate to transmit to that house the papers on file in the Senate, relating to the claim of Simeon Rogers.

Thereupon,

Ordered, That the Clerk deliver said papers to the Assembly, agreeably to their request.

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 16th instant, allowing the Geologist now engaged in preparing the reports of the agriculture and palaeontology of the State, to take books from the State Library.

Ordered, That the Clerk deliver a copy of said resolution to said Geologist and the Trustees of the State Library, respectively.

The Secretary of State, pursuant to the resolution of the Senate of the 15th instant, transmitted to the Senate a report of one of the agents appointed to take the census or enumeration of the Indians, residing upon several of the reservations in the State, and an abstract of all the census returns taken pursuant to the fifteenth section of the act, chapter 140, of the laws of 1845, and of the statistical information required by the act, and also a report relating to their past and present conditions.

Mr. Folsom offered the following resolution, which was referred to the committee on public printing:

Resolved, That 250 additional copies of the report on the census of the Indians residing in this State, be printed for the use of the agent for taking said census.

The Canal Commissioners, to whom were referred the petition of Isaac Thompson and others, and also the petition of Nathan S. Hollister, for relief, to report the facts of each case and any action of said Commissioners, if any had thereon, made a report on the petition of N. S. Hollister, which was read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 15.]

Mr. Lester, from the select committee consisting of one Senator attending the Senate from each Senate district, to whom was referred so much of the Governor's message as relates to the apportionment, asked for and obtained leave to report a bill entitled "An act for the apportionment of the members of the Assembly of this State."

On motion of Mr. Clark,
Ordered, That said bill be laid on the table.

Then the Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M., JANUARY 20, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. J. N. Campbell.

The minutes of yesterday having been read and approved,

Mr. Sanford presented the petition of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church for an act of incorporation, which was read and referred to the committee on charitable and religious societies.

Mr. Jones presented the remonstrance of the rector, &c., of Trinity church in the city of New-York, against the repeal or any modification of the act of January 25, 1814, entitled "An act to alter the name of the corporation of Trinity church in New-York, and for other purposes," which was read and referred to the same committee.

Mr. Backus presented the petition, affidavits and papers, respecting the claim of Thomas and Worden, for relief, under a canal contract, which was read and referred to the committee on claims.

Mr. Chamberlain presented three several petitions of inhabitants of Pike, praying for a law annexing the towns of Eagle, Pike and Portage, to the county of Wyoming, which were read and referred to the committee on the division of towns and counties.

Mr. J. B. Smith presented a like petition of inhabitants of the same town, which was read and referred to the same committee.

Mr. Beckman presented the petition of inhabitants of the county of Greene, for all the banks in this State to redeem their notes at par in the city of New-York, which was read and referred to the committee on banks and insurance companies.

Mr. Mitchell presented the petition of inhabitants of the towns of Amsterdam and Florida, in the county of Montgomery, for a law authorizing the appointment of a supreme court commissioner, to reside at Amsterdam, which was read and referred to the committee on the judiciary.

Mr. Beckman presented the petition of Westfall May, an alien, that his acts in holding and selling real estate may be confirmed, which was read and referred to the committee on grievances.

Mr. Lott presented the petition of John O. Baker and Ruth his wife, Mary Agnes Titus and others, for relief, which was read and referred to the same committee.

Mr. Van Schoonhoven presented the petition of sundry inhabitants

of Rensselaer and Washington counties, for the passage of an act to revive and amend the charter of the Phoenix Bridge Company, passed April 17, 1830," which was read and referred to the committee on roads and bridges.

A bill was received from the Assembly entitled "An act authorizing the court of general sessions of the peace in the city of New-York, to extend the term of said court in certain cases," with a message, informing that they had concurred in the amendment of the Senate thereto, and had amended the same accordingly.

The said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

Mr. Spencer presented the third annual report of the Superintendent and Managers of the New-York State Lunatic Asylum at Utica, for the year ending November 30, 1845, which was read and laid on the table.

Mr. Spencer moved that 200 extra copies of said report be printed for the use of the Asylum, which motion was referred to the committee on public printing.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act to amend section five, of title one, part three and chapter three of the Revised Statutes," reported against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[Senate Document No. 17.]

Mr. Young, from the committee on literature, to whom was referred the petition of citizens of Fulton, in Oswego county, for that purpose, asked for and obtained leave to report a bill entitled "An act for the incorporation of the Young Men's Association for mutual improvement in the village of Fulton," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Putnam, from the committee on the judiciary, to whom was referred the petition of citizens of the village of Le Roy, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize the appointment of a supreme court commissioner to reside in the village of Le Roy, in the county of Genesee," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

Mr. Folsom asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act for the preservation of fish in the Hudson river," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

On motion of Mr. Porter,

Resolved, That a select committee be appointed on the subject of the returns of surrogates, which are required to be made, by the fifth section of the act entitled "An act respecting the fees of surrogates," passed May 7, 1844; and that said committee examine said returns, and make report to the Senate, whether any, and if any, what amendments of the said act are expedient; And that the Secretary of State be authorized to place said returns in the hands of said committee, and that said committee return the same to the Secretary's office, when they shall have examined them.

The President announced, and

Thereupon,

Ordered, That Mr. Porter, Mr. Mitchell and Mr. Folsom, be said committee.

Ordered, That the Clerk deliver a copy of said resolution to the Secretary of State.

The hour of half past eleven having arrived, the Senate pursuant to order again resolved itself into a committee of the whole, on the bill entitled "An act to repeal the third section of the act entitled "An act to provide for the public printing, passed January 21, 1843," and to regulate the printing for the Senate and Assembly," and after some time spent thereon, Mr. President resumed the chair, and Mr. Barlow, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Clark,

Ordered, That said bill be made the special order for to-morrow at 12 o'clock, M., and that the usual number of copies of the amendments offered to said bill, in committee of the whole, be printed.

Then the Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 21, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benson,

The minutes of yesterday having been read and approved,

Mr. Beekman moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Barlow

Mr. Beekman

Mr. Denniston

Mr. Deyo	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Folsom	Mr. S. Smith	Mr. Wheeler
Mr. Johnson	Mr. Spencer	Mr. Williams
Mr. Porter	Mr. Talcott	Mr. Young
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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Putnam
Mr. Beers	Mr. Jones	Mr. Scovil
Mr. Burnham	Mr. Lester	Mr. Sanford
Mr. Clark	Mr. Lott	Mr. J. B. Smith
Mr. Emmons	Mr. Mitchell	Mr. Wright
Mr. Hand		
		16

Mr. Talcott presented resolutions of the board or supervisors of Oswego county, p r a y i n g 1st. That the law for the appointment of a police justice for the village of Oswego, be so amended that the salary of said officer shall not be a county charge. 2d. That the board of supervisors of said county be required to hold but one meeting in each year, and that such meeting be held on the Tuesday next after the general election annually. 3d. That the office of county superintendent of common schools be abolished in the county of Oswego; which was read and referred to the committee on the judiciary.

Mr. Clark presented the petition of John Cramer, for a law to permit the chancellor to order the sale of real estate of lunatics in certain cases, which was read and referred to the same committee.

Mr. Scovil presented the petition of citizens of the town of Boonville, Oneida county, asking for the abolition of the punishment of death, which was read and referred to the same committee.

Mr. Spencer presented two several petitions of inhabitants of the county of Madison, for the passage of a law to punish seduction and adultery as a felony, which were read and referred to the same committee.

Mr. Clark presented the petition of inhabitants of Washington and Warren counties, for an incorporation to build a plank road, which was read and referred to the committee on roads and bridges.

Mr. Emmons presented the petition of the chiefs of the Seneca nation of Indians, for an amendment of the act relating to the Indians, passed May 8, 1845, which was read and referred to the committee on Indian affairs.

Mr. Johnson, from the committee on claims, to whom was referred the petition of John Moot, for that purpose, asked for and obtained leave to report a bill entitled "An act for the relief of John Moot," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Johnson, from the same committee, to whom were referred the petitions and papers relating to the claim of Alfred Munson, Martin

Hart, James Sayre and Alanson House, for relief, made a report thereon, concluding with the following resolution,

Resolved, That the prayer of the petitioners be denied.

On motion of Mr. Spencer,

Ordered, That said report and papers be laid on the table, and that the usual number of copies of said report be printed.

[See Senate Document No. 19.]

Mr. Hard, from the committee on public printing, to whom was referred the motion to print 250 additional copies of the report on the census of the Indians residing in this State, for the use of the agent taking said census, reported in favor of said motion, and also that three times the usual number of copies thereof, be printed, which report was laid on the table.

Mr. Hard, from the same committee, to whom was referred the motion to print 2,000 extra copies of the reports of the Superintendent and Managers of the State Lunatic Asylum at Utica, for the use of the Asylum, reported in favor of said motion, which was laid on the table.

By unanimous consent, Mr. Sedgwick presented affidavits in support of the petition of Isaac Thompson, for relief, which were read and referred to the Canal Commissioners.

Mr. Folsom offered the following concurrent resolution, which was laid on the table, to wit:

Resolved, (if the Assembly concur,) That by the usual number of copies of documents hereafter ordered to be printed by either branch of the Legislature, shall be understood two hundred and fifty copies of bills, and six hundred copies of reports and other documents; and that whenever a motion is made or resolution offered for the printing of an additional number of copies of such documents, the precise number of copies intended by such motion or resolution shall be distinctly and arithmetically stated therein.

The hour of twelve having arrived, the Senate then again pursuant to order, resolved itself into a committee of the whole on the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly," and after some time spent thereon, Mr. President resumed the chair, and Mr. Barlow, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Lott moved that the Senate do now take a recess until half past three o'clock this afternoon.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Beers

Mr. Burnham

Mr. Chamberlain

Mr. Clark	Mr. Lott	Mr. J. B. Smith
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Hard	Mr. Putnam	Mr. Wright
Mr. Jones	Mr. Sanford	

14

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Spencer
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Williams
Mr. Hand	Mr. S. Smith	Mr. Young

15

Mr. Lott moved that said bill be made the special order of the day for to-morrow morning at half past 11 o'clock.

Mr. Wright moved to amend said motion by adding "and that the question on all the amendments in committee of the whole be taken at 2 o'clock, P. M."

Mr. Porter moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Spencer
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Williams
Mr. Hand	Mr. S. Smith	Mr. Young

15

FOR THE NEGATIVE.

Mr. Beers	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Wright
Mr. Emmons	Mr. Putnam	

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Then the Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., JANUARY 22, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. J. N. Campbell.

The minutes of yesterday having been read and approved,

Mr. Putnam, from the committee on the judiciary, to whom was referred the petition of Heman J. Redfield and others, for perpetuating evidence of the deaths of Nicolaas Van Staphorst and others, former joint tenants with others in the Holland Land Company's land, made a report thereon, and asked for and obtained leave to report a bill entitled "An act to perpetuate the evidence of the death of Nicolaas Van Staphorst and others," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill be printed.

[See Senate Document No. 18.]

Mr. Backus, from the committee on medical societies and medical colleges, to whom was referred that portion of the recent State census relating to the number of idiots, made a report thereon, which was read and laid on the table.

Mr. Clark moved that five times the usual number of copies of said report be printed, which motion was referred to the committee on public printing.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act relative to trials in courts of common law jurisdiction," reported in favor of the passage of said bill, with amendments, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill reported last year entitled "An act to amend an act entitled 'An act concerning the proofs of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," asked for and obtained leave to report a bill with the same title, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last three mentioned bills, be printed.

On motion of Mr. Lott,

The committee on the judiciary was discharged from the further

consideration of the resolutions of the board of supervisors of Oswego county, referred to them yesterday, and the same were referred to the committee on retrenchment.

Mr. Mitchell, from the committee on roads and bridges, to whom was referred the petition of inhabitants of the town of Herkimer, for that purpose, asked for and obtained leave to report a bill entitled "An act for the reconstruction and alteration of the highway from the village of Herkimer to Middleville," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Hand, from the committee on grievances, to whom was referred the bill entitled "An act to amend an act for the preservation of fish in the Hudson river," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Hand, from the same committee, to whom was referred the petition of John O. Baker, and Ruth M. his wife, Mary Agnes Titus and others, for relief, asked for and obtained leave to report for the consideration of the Senate, a bill entitled "An act for the relief of Mary Agnes Titus and others," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last three mentioned bills respectively, be printed.

Mr. Hand, from the same committee, to whom was referred the petition of Westfall May, an alien, that his acts in holding and selling real estate may be confirmed, reported adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Ordered, That the usual number of copies of said report be printed.

(See Senate Document No. 20.)

Mr. Hand, from the same committee, to whom was referred the petition of George W. Murray, praying that the State refund certain taxes paid by him upon lands in Clinton county, reported in writing adverse to the prayer of the petitioner, which was agreed to by the Senate, and the petition laid on the table.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Ordered, That the usual number of copies of said report be printed.

(See Senate Document No. 22.)

Mr. Johnson presented a certificate of the Comptroller, relating to the same subject, which was laid on the table.

Mr. Hand, from the same committee, to whom was referred the pe-

tion of the North American Fire Insurance Company of the city of New-York, for relief, reported in writing adverse to the prayer of the petitioners, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 21.*]

On motion of Mr. Hard,

The Senate proceeded to the further consideration of the report of the committee on public printing, on the motion to print 250 extra copies of the report of Henry R. Schoolcraft, one of the agents appointed to take the census or enumeration of the Indians residing in this State, &c., also the motion to print three times the usual number of copies thereof.

Mr. J. B. Smith asked a division of the question.

Mr. President then put the question on agreeing to the motion to print 250 extra copies of said report for the use of said agent, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Barlow	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Williams
Mr. Folsom	Mr. Sedgwick	Mr. Wright
Mr. Hand	Mr. Sanford	
		20

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Young
		9

Mr. President then put the question on agreeing to the motion to print three times the usual number of copies of said report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lott	Mr. S. Smith
Mr. Barlow	Mr. Mitchell	Mr. Spencer
Mr. Chamberlain	Mr. Porter	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Sedgwick	Mr. Williams
Mr. Hard		
		16

FOR THE NEGATIVE.

Mr. Beers	Mr. Hand	Mr. Sanford	
Mr. Burnham	Mr. Johnson	Mr. J. B. Smith	
Mr. Clark	Mr. Jones	Mr. Talcott	
Mr. Denniston	Mr. Lester	Mr. Wright	
Mr. Deyo	Mr. Scovil	Mr. Young	15

Thereupon,

Ordered, That three times the usual number of copies of said report and 250 extra copies thereof for the use of the agent, be printed.

[*See Senate Document No. 24.*]

Mr. Wright then moved that the present and all intervening orders of business be laid on the table, and that the Senate again resolve itself into a committee of the whole on the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil	
Mr. Beers	Mr. Hard	Mr. Sanford	
Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Lott	Mr. Spencer	
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Putnam	Mr. Wright	18

FOR THE NEGATIVE.

Mr. Denniston	Mr. Lester	Mr. S. Smith	
Mr. Deyo	Mr. Porter	Mr. Williams	
Mr. Hand	Mr. Sedgwick	Mr. Young	
Mr. Johnson			10

The Senate then again resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for leave to sit again.

Mr. Hard moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

18

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand		

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Mr. Wright moved that the Senate take a recess till 4 o'clock P. M.

Mr. S. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Young

15

FOR THE NEGATIVE.

Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright
Mr. Hard	Mr. Sanford	

17

Mr. Young moved to amend Mr. Wright's motion by striking out the words "4 o'clock, P. M." and inserting "10 o'clock to-morrow morning."

The President decided Mr. Young's motion to be out of order, being a distinct proposition, and not an amendment to Mr. Wright's motion.

Mr. Johnson then moved to lay Mr. Wright's motion on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick	
Mr. Beekman	Mr. Johnson	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
Mr. Deyo	Mr. Porter	Mr. Williams	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford	
Mr. Beers	Mr. Jones	Mr. J. B. Smith	
Mr. Burnham	Mr. Lott	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Putnam	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	
Mr. Folsom			19

Mr. President then put the question on agreeing to Mr. Wright's motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford	
Mr. Beers	Mr. Jones	Mr. J. B. Smith	
Mr. Burnham	Mr. Lott	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Putnam	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	
Mr. Folsom			19

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Hand			13

Then the Senate took a recess till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.,

The Senate met.

Mr. Porter moved,

That the present and all intervening orders of business be laid on the table, and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to amend an act entitled 'An act relating to excise, and to licensing retailers of intoxicating liquors.'"

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Scovil
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Wheeler
Mr. Clark	Mr. Lott	Mr. Wright
Mr. Emmons	Mr. Mitchell	Mr. Young
Mr. Folsom	Mr. Putnam	

17

Mr. Wright, from the committee on the judiciary, to whom was referred the bill entitled "An act to repeal the third section of the act entitled 'An act to provide for the public printing, passed January 21, 1843,' and to regulate the printing for the Senate and Assembly," to consider and report complete, reported the same with amendments, and changing the title so as to read as follows : "An act to provide for the public printing."

M. Young moved to recommit said bill to a committee of the whole, and that the usual number of copies thereof as reported complete, be printed.

Mr. Jones raised a point of order, that the question being on agreeing with said committee in their report, the motion to print could not be entertained.

The President decided that the motion being coupled with a motion to recommit was in order.

Mr. Wright asked a division of the question.

Mr. President put the question on recommitting to a committee of the whole, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

11

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Scovil
Mr. Burnham	Mr. Jones	Mr. Sanford
Mr. Chamberlain	Mr. Lott	Mr. J. B. Smith
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Putnam	Mr. Wright
Mr. Folsom		

11

Mr. Young moved that the report be laid on the table, and that the usual number of copies of the bill reported, be printed.

Mr. President then put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Young

12

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Beers	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Williams
Mr. Emmons	Mr. Putnam	Mr. Wright

18

The said bill as reported complete was then read in the words following, to wit :

An act to provide for the public printing.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. The act entitled "An act to provide for the public printing," passed January 21, 1843, is hereby repealed.

§ 2. The printing for the Senate, and Assembly, for the Comptroller, Secretary of State, Attorney and Surveyor-General, Commissioners of the Land-Office and Canal Fund, the Banking Department, and all other printing for any and every of the State officers, shall hereafter be done as follows: The Comptroller and Secretary of State shall give at least twenty days notice in two public newspapers published in each Senate district in this State, that they will, on or before a day to be specified in said notice, receive sealed proposals for the printing provided to be done under this section, for two years, to be performed in the same style of execution as to type and paper, as that heretofore furnished: and that they will receive separate bids for the printing to be done for the Senate, Assembly, and public offices; or any portion of the printing to be done for the public offices, at the expiration of which time they shall open said proposals, and enter into a contract or contracts with such person or firm as shall make the lowest offer or bid to do such printing, and shall give security in a bond to the people of the State of New-York, to the satisfaction of the Comptroller and Secretary of State, for the faithful performance of his or their contract, which contract shall continue in force for two years from the time of making the same.

§ 3. The Secretary of State and Comptroller shall annually issue proposals for and receive bids as provided in section two of this act, for the printing and publishing of the session laws: and they shall, on receiving such proposals, enter into contract with the person or persons who shall make the lowest bid, and furnish sufficient security for the performance of the same: and the Legislature may, by concurrent resolution, require an extra number of copies to be published, to be sold under the direction of the Secretary of State, at an advance not exceeding ten per cent on the original cost; and the distribution of the said laws to the several county clerk's offices shall be made within sixty days after the adjournment of the Legislature.

§ 4. All notices now required to be published in the State paper by any law of this State, or which may be so required hereafter to be published, shall after the provisions of this law take effect, be published as follows: The State officers, who by this act are authorized to make contracts for the other public printing in this act provided for, shall at the same time and in the same manner as is in this act before provided, issue proposals and receive sealed bids as hereinbefore provided, for the printing and publishing once in each week in a public newspaper to be printed in the city of Albany, of all notices now by law required to be published in the State paper, at so much for each and every folio, consisting of one hundred words contained in any such notice, and the State officers aforesaid, shall by a certificate to be made and signed by them and filed, together with all the bids in the office of the Comptroller, give and award the printing and publishing of all notices mentioned in this section, to such person or persons as shall make the lowest bid for the same by the folio as aforesaid, and who shall execute good and sufficient security in a bond to the People of the State of New-York, to the satisfaction of the said State officers, for the faithful per-

formance of such printing and publishing ; and the publication of such notices by the person or persons in the newspaper to be published by him or them, shall have the same effect when given in evidence, as has heretofore been given by law to notices published in the newspaper printed by the State printer ; and the said person or persons to whom the printing of the notices provided for in this section shall be awarded, shall charge and receive from the person or persons ordering the publication thereof, the prices stipulated in their contract with the State officers aforesaid and no more.

§ 5. The Comptroller and Secretary of State shall immediately after making and filing their certificate in the preceding section provided for, publish in the present State paper a copy of such certificate.

§ 6. To every bid made under any of the provisions of this act there shall be annexed a guaranty subscribed by a guarantor of sufficient ability, that the person making such bid will, if the same be accepted, enter into a contract according to the terms thereof, and give the security required by law in such case, within the time specified for that purpose in such notice ; and to every such guaranty, a certificate shall be annexed, of the Secretary of State, Comptroller, Attorney-General, Treasurer, Surveyor-General, or the first judge of the county where the guarantor resides, that the guarantor is a man of property and able to make good his guaranty.

§ 7. All notices and advertisements required by law to be published in the State paper, the publication of which has been commenced or ordered before the designation of the person or persons in the fourth section of this act, may be continued in said State paper, and be as valid as if this act had not passed.

§ 8. All laws which are inconsistent with the provisions of this act are hereby repealed.

§ 9. The office of State Printer is hereby abolished.

§ 10. This act shall take effect immediately.

Mr. Johnson moved to amend the second section of said bill by inserting after the words "Secretary of State" in the 18th line, the words "and the Attorney-General."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Hand
Mr. Johnson
Mr. Lester
Mr. Porter
Mr. Sedgwick

Mr. S. Smith
Mr. Talcott
Mr. Williams
Mr. Young

14

FOR THE NEGATIVE.

Mr. Backus

Mr. Burnham

Mr. Chamberlain

Mr. Clark
Mr. Emmons
Mr. Folsom
Mr. Hard
Mr. Jones

Mr. Lott
Mr. Mitchell
Mr. Putnam
Mr. Scovil

Mr. Sanford
Mr. J. B. Smith
Mr. Wheeler
Mr. Wright

16

Mr. Lester moved to amend said bill by striking out the second and eighth sections thereof, and inserting in lieu thereof, the following, to wit:

§ 1. The printing for the Senate and Assembly, the printing that is now or shall hereafter be authorized by law or for executive departments, and the printing and publication of the session laws, authorized by law to be published by any State officer, shall be done under contracts to be made according to the provisions of this act.

§ 2. The first contracts under this act, shall be made and go into effect within sixty days after its passage, and shall terminate on the thirty-first day of December, 1847, and all subsequent contracts under this act shall commence on the first day of January, and end on the thirty-first day of December in each year, after 1847, and shall be made in the month of September, next before their commencement.

§ 3. Such contracts shall be made on the part of the State, by the Secretary of State, Comptroller and Attorney-General, who shall give notice that separate bids will be received by them for doing the several kinds of printing specified in such notice, which shall be published in two public newspapers, in each Senate district, for at least six weeks previous to the expiration of the time for receiving such bids.

§ 4. Every such bid shall have annexed thereto a guaranty subscribed by guarantor of sufficient ability, that the person making such bid will, if the same be accepted, enter into a contract according to the terms thereof, and give the security required by law in such case, within the time specified for that purpose in such notice; and to every such guaranty, a certificate shall be annexed, of the Secretary of State, Comptroller, Attorney-General, Treasurer, Surveyor-General, or the first judge of the county where the guarantor resides, that the guarantor is a man of property and able to make good his guaranty.

§ 5. Every such bid shall be so folded and sealed as to conceal its contents; shall have the words, *Bids for public printing*, or words to the same effect, written on its outside; and shall be delivered to the Comptroller before the expiration of the time specified in such notice for receiving the same, who shall, on receiving it, cause it to be numbered in the order in which it was received, and the day and hour of its receipt to be written thereon; and it shall not be opened except as hereinafter directed.

§ 6. At noon on the day next following the expiration of the time for receiving such bids, the bids so received by the Comptroller shall be publicly opened by him at his office, in the presence of the Secretary of State and Attorney-General, in the order in which such bids were received; and an abstract thereof, stating the name and residence of the

bidder and his guarantor, the service proposed, and the sum bid, shall be entered in a book to be kept in the Comptroller's office for that purpose, which shall at all times be open for public inspection.

§ 7. Contracts for the services specified in the notice shall be awarded to the lowest bidder, and they shall be completed as early as practicable; and every bidder whose bid shall be accepted shall, at the time of executing his contract, give security for its faithful performance, by bond, in such sum and with such sureties as the officers making the contract on the part of the State shall require.

§ 8. Every bidder whose bid shall be accepted, and who shall not within ten days after being notified of such acceptance, enter into a contract with the State for the performance of the service for which he bid, and give security as required by this act, shall be deemed to have refused so to do, and shall, together with his guarantor, be held jointly and severally liable to pay to the State the amount of all the damages or loss it shall sustain by such refusal; and in case of any such refusal, the contract shall be awarded to the next lowest bidder.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Johnson
Mr. Lester

Mr. Porter,
Mr. Sedgwick
Mr. S. Smith

Mr. Williams
Mr. Young

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FOR THE NEGATIVE.

Mr. Backus
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark

Mr. Emmons
Mr. Folsom
Mr. Jones
Mr. Lott
Mr. Mitchell

Mr. Putnam
Mr. Sanford
Mr. Wheeler
Mr. Wright

14

Mr. Johnson moved to amend said bill by inserting as an additional section next before the last, the following, to wit :

§ . All expenses of postage and printing for the canals, the common schools, and banks, shall be paid at the close of each year, from the revenues of the canal, common school and bank funds respectively; and all the expense of printing the reports of the Regents of the University shall be paid out of the literature fund; and all printing and postage for the State library, shall be paid from the annual appropriations for the library.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Johnson	Mr. S. Smith		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam	
Mr. Beers	Mr. Hard	Mr. Scovil	
Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Wright	
Mr. Emmons			16

Mr. Porter moved to amend said bill by inserting in the 19th line of the 4th section, after the words "such printing and publishing," the following, to wit : "And to meet any damages, to which any person may have a just and legal claim, against the said contractor, by reason of his omission to perform the duty devolved upon him in the fulfilment of the contract."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. S. Smith	
Mr. Beers	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam	
Mr. Burnham	Mr. Hard	Mr. Scovil	
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith	
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Emmons	Mr. Mitchell	Mr. Wright	15

Mr. Lester moved to amend said bill by inserting as an additional section next before the last, the following, to wit :

§ . No more than the present usual number of any document or paper shall be printed by order of either branch of the Legislature ; nor shall any bill or other document or paper be printed by such order, except for

the use of the Legislature, unless such printing be expressly authorized by law.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Lester	Mr. S. Smith	
Mr. Deyo	Mr. Porter	Mr. Williams	
Mr. Johnson	Mr. Sedgwick	Mr. Young	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil	
Mr. Barlow	Mr. Folsom	Mr. Sanford	
Mr. Beers	Mr. Hard	Mr. J. B. Smith	
Mr. Burnham	Mr. Jones	Mr. Talcott	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Wright	
Mr. Denniston	Mr. Putnam		20

Mr. Porter moved to amend said bill by inserting as additional sections next before the last, the following, to wit :

§ . So much of title three, chapter seven, part one of the Revised Statutes, as requires that notices of intended application to the Legislature for the division or alteration of the bounds of any county, city or village, or for the erection of a new county, or for the incorporation of a new city or village, or for the removal of any court-house, or for the imposing of any tax, for making or improving any road, or for any other local purpose in any county, or for any act of incorporation, or for the alteration, amendment or extension of any act of incorporation, shall be published in the State paper, is hereby repealed.

§ . All provisions of law that require that notices of the election of bank directors shall be published in the State paper, are hereby repealed.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Talcott	
Mr. Denniston	Mr. Lester	Mr. Williams	
Mr. Deyo	Mr. Porter	Mr. Young	
Mr. Hard	Mr. Sedgwick		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Beers	Mr. Jones	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Williams
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Emmons		

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Mr. Lester moved to amend said bill by inserting as an additional section next before the last, the following, to wit :

§ . The expense of printing every private bill and of every document and paper relating thereto, which shall be printed by order of either branch of the Legislature, shall be paid by the parties interested in the passage of such bill.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Young
Mr. Deyo	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Burnham	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Putnam	Mr. Wright

15

Mr. Lester moved to amend said bill by striking out the fourth section and inserting instead thereof the following, to wit :

§ . The State officers who are authorized by this act to make contracts for the public printing in this act hereinbefore provided for, shall make contracts in like manner, for publishing in a newspaper to be called the New-York State Gazette, to be published as often as once in each week in the city of Albany, all the laws, notices and advertisements, now by law required to be published in the State paper, or which shall hereafter by law be required to be published in the said Gazette, which shall contain no printed matter, except such laws, notices and advertisements, and its name, date and place of publication. The contracts to be made pursuant to this section, shall be for two years, and shall be made with the person who shall propose to publish

as aforesaid the said laws, notices and advertisements, at the least price for each and every folio of one hundred words, and to furnish regularly one copy of each number of said Gazette to each town clerk, city clerk and county clerk in the State, to be kept and preserved in his office for public inspection. Notice of receiving proposals for the contracts to be made pursuant to this section, shall be published at least eight weeks.

Mr. President put the question on agreeing to the last amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Johnson		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Beers	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Wright
Mr. Emmons	Mr. Putnam	

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Mr. Sedgwick moved to amend said bill by striking out all after the enacting clause and inserting the following :

§ 1. All contracts for printing mentioned and provided for in the third, fourth and fifth sections of the act entitled "An act to provide for the public printing," passed January 21st, 1843, shall be made at a price at least twenty per cent more favorable to the State than the prices paid to the State printer at the time said act was passed ; and as much lower as the officer or officers authorized to make said contracts shall consider just and reasonable ; and if the persons authorized by said act to do said printing refuse to execute the same at such prices, the officer or officers having power to make any contract or contracts for the public printing, may contract with any other person or persons to do such printing, who will comply with said terms.

Strike out the title and insert the following : "An act to amend 'An act to provide for the public printing,' passed January 21, 1843."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. S. Smith	
Mr. Denniston	Mr. Porter	Mr. Young	
Mr. Deyo	Mr. Sedgwick		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil	
Mr. Beers	Mr. Hard	Mr. Sanford	
Mr. Burnham	Mr. Lott	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler	
Mr. Clark	Mr. Putnam	Mr. Wright	
Mr. Emmons			16

Mr. President then put the question on agreeing with the said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil	
Mr. Beers	Mr. Hard	Mr. Sanford	
Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Wright	
Mr. Emmons	Mr. Putnam		17

FOR THE NEGATIVE.

Mr. Beekman	Mr. Porter	Mr. Talcott	
Mr. Denniston	Mr. Sedgwick	Mr. Williams	
Mr. Deyo	Mr. S. Smith	Mr. Young	
Mr. Johnson			10

Thereupon,

The said bill was ordered to be engrossed for a third reading.

Then the Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 23, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benson.

The minutes of yesterday having been read and approved,

Mr. Emmons presented two several petitions of inhabitants of Brandt and Collins, for the erection of a new county from parts of Erie, Cattaraugus and Chautauque counties, to be called Irving, which were read and referred to the committee on the division of towns and counties.

Mr. Scovil presented two several petitions of inhabitants of the towns of Hanover, Sheridan, Cherry-Creek and Villenova, for a new county from parts of Erie, Cattaraugus and Chautauque, which were read and referred to the same committee.

Mr. Burnham presented the petition of the trustees and citizens of School District No. 11, in the town of Otselec, for an act authorizing the raising of money by tax in said district, to be paid to said trustees for moneys claimed to have been paid by them for the benefit of said district; also a remonstrance of inhabitants of the same district against the same, which were severally read and referred to the committee on literature.

Mr. Johnson presented the petition of the supervisor and justices of the peace of the town of Davenport, Delaware county, for the repeal of sections twenty-nine and thirty of the act to reduce the number of town officers and town and county expenses, passed May 10, 1845, which was read and referred to the committee on retrenchment.

Mr. Williams presented a copy of a resolution adopted at a mass meeting of the friends of temperance at Canandaigua; also a like resolution adopted at a meeting of the citizens of Yates county, in relation to the alteration of the day for holding the election under the license law of last winter, which were read and committed to a committee of the whole, when upon the bill to which they relate.

Mr. Spencer presented the petition of Eli Farewell, president of the board of trustees of the Black-River Literary and Religious Institute, that the literature fund may be distributed according to the number of classical students without regard to senatorial districts, which was read and referred to the committee on literature.

Mr. Spencer presented the petitions of James C. Shippy and Woodman Kimball, respectively, contractors on the Black-River canal, for relief, which were read and referred to the committee on claims.

Mr. Hard, from the committee on public printing, to whom was referred the motion to print five times the usual number of copies of the report of the committee on medical societies and medical colleges, relating to the number of idiots, &c., reported against said motion and in favor of printing three times the usual number of copies thereof.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beekman	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Williams
Mr. Emmons	Mr. Sedgwick	Mr. Wright

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Lester	Mr. J. B. Smith
Mr. Johnson	Mr. Porter	Mr. Young

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Thereupon,

Ordered, That the usual number and three times the usual number of copies of said report be printed.

[See Senate Document No. 23.]

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to provide for the public printing," which was ordered to a third reading.

Mr. Wright moved that the present and all intervening orders of business be laid on the table, and said bill be now read the third time.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Beekman	Mr. Denniston
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Mr. Deyo	Mr. Porter	Mr. Talcott	
Mr. Johnson	Mr. Sedgwick	Mr. Williams	
Mr. Lester	Mr. S. Smith	Mr. Young	12

Mr. Young moved that said bill be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Wheeler	
Mr. Deyo	Mr. Sedgwick	Mr. Wright	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford	
Mr. Beers	Mr. Jones	Mr. J. B. Smith	
Mr. Burnham	Mr. Lott	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Putnam	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	
Mr. Folsom			19

The said bill was then read the third time.

Mr. Sedgwick offered the following resolution :

Resolved, That for the purpose of giving the members of the Senate an opportunity of reading the bill as engrossed, the same not having been printed, and not having had the three several readings prescribed by the rules of Senate, the question on the final passage of the bill be laid on the table for one hour, that Senators may have an opportunity to read the same.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Lester	Mr. Talcott	
Mr. Beekman	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Johnson	Mr. S. Smith		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Clark	
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Mr. Emmons	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Hard	Mr. Putnam	Mr. Wheeler
Mr. Jones	Mr. Sanford	Mr. Wright
Mr. Lott	Mr. J. B. Smith	14

Mr. Barlow asked the unanimous consent of the Senate to offer the following as an addition to the second section of said bill, to wit: "but the contracts for such notices shall provide for their publication in one of the four papers printed in said city having the most extensive circulation, as shall appear from satisfactory evidence accompanying the proposals, of the extent of such circulation of the paper named in such proposals.

Objections being made,

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Williams
Mr. Eminons	Mr. Putnam	Mr. Wright
Mr. Folsom	Mr. Scovil	20

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Talcott
Mr. Beekman	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo	Mr. S. Smith	11

Mr. Wright moved to reconsider the vote on the final passage of said bill.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
		12

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright
Mr. Folsom		

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Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

A communication was received from the Chancellor of the University, and read in the words following, to wit :

To the Hon. ADDISON GARDINER,
President of the Senate.

SIR :—

It becomes my duty to notify you, for the information of the Legislature, that a vacancy has occurred in the board of Regents of the University, in consequence of the death of the Hon. James Thompson.

I remain, very respectfully,

Your ob't serv't.

PETER WENDELL, *Chan. of the University.*

Albany, Jan. 22, 1846.

A communication was received from the Regents of the University, informing that pursuant to the 4th section of the act, chapter 311, of the Laws of 1844, the Hon. Samuel Young had been appointed one of the Executive Committee of the State Normal School, in the place of Alonzo Potter, resigned, accompanied by the report of the Executive Committee of said Normal School.

Ordered, That said communication and report be laid on the table, and that the usual number of copies thereof be printed.

[*See Senate Document No. 32.*]

The report of the Canal Commissioners on the petition of Isaac Thompson, Lewis Beebe, James L. Beebe and William Thompson, was received, read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 26.*]

The report of the Canal Commissioners answering the resolution of the Senate of the 7th inst., relative to a change in the mode of con-

ducting the repairs on the navigable canals, &c., was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

(See Senate Document No. 27.]

A bill was received from the Assembly for concurrence entitled "An act to authorize the supervisors of the county of Dutchess, to sell their poor house and farm," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to authorize the board of town officers of Fishkill, Dutchess county, to appropriate certain moneys;" also, "An act to confirm the official acts of Charles Edwards, a justice of the peace," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to erect the town of Rice, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the two houses will on Monday, the 26th instant, at 12 o'clock, M., proceed to nominate and elect a State printer.

Mr. Clark moved to postpone the consideration of said resolution to the first Tuesday in June next.

Mr. Porter moved that the last motion be laid on the table.

Mr. S. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	

11

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Jones
Mr. Burnham	Mr. Folsom	Mr. Lott
Mr. Chamberlain	Mr. Hard	Mr. Mitchell

Mr. Putnam	Mr. J. B. Smith	Mr. Wheeler	
Mr. Scovil	Mr. Spencer	Mr. Wright	
Mr. Sanford	Mr. Van Schoonhoven		17

Mr. President then put the question on agreeing to Mr. Porter's motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford	
Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Lott	Mr. Spencer	
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Putnam	Mr. Wheeler	
Mr. Folsom	Mr. Scovil	Mr. Wright	18

Mr. Sedgwick then moved to amend Mr. Clark's motion by striking out the words "first Tuesday in June."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford	
Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Lott	Mr. Spencer	
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Putnam	Mr. Wheeler	
Mr. Folsom	Mr. Scovil	Mr. Wright	18

Mr. Sedgwick then moved to amend said motion by striking out "first Tuesday in June" and inserting "31st day of May."

Mr. President decided said motion to be out of order, on the ground that the Senate having by vote just refused to strike out, it amounted to the affirmation of agreeing thereto.

From this decision Mr. Sedgwick appealed.

Mr. President then put the question "shall the decision of the chair stand as the judgment of the Senate," and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Barlow	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Sedgwick	2
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Mr. Johnson moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Deyo	Mr. Porter
Mr. Beekman	Mr. Johnson	Mr. Sedgwick
Mr. Denniston	Mr. Lester	Mr. S. Smith

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Scovil	Mr. Wright

18

Mr. Lester moved that the Senate do now take a recess till seven o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sedgwick
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	MSpe n cer
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Scovil	Mr. Wright

18

Mr. Lester then moved that the Senate do now take a recess till five o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Deyo	Mr. Sedgwick
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Porter	

8

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Scovil	Mr. Wright

18

Mr. Lester then moved that the Senate do now adjourn till ten o'clock to-morrow morning.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beekman
Mr. Denniston
Mr. Deyo

Mr. Johnson
Mr. Lester
Mr. Porter

Mr. Sedgwick
Mr. S. Smith
Mr. Williams

10

FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons
Mr. Folsom

Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam
Mr. Scovil

Mr. Sanford
Mr. J. B. Smith
Mr. Spencer
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Wright

18

Mr. President put the question on agreeing to Mr. Clark's said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons
Mr. Folsom

Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam
Mr. Scovil

Mr. Sanford
Mr. J. B. Smith
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Wright

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FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman
Mr. Denniston
Mr. Deyo

Mr. Johnson
Mr. Lester
Mr. Porter
Mr. Sedgwick

Mr. S. Smith
Mr. Talcott
Mr. Williams

11

Mr. Johnson gave notice that he would at some future time move to reconsider the vote last taken.

Mr. Wright moved to reconsider said vote now.

Mr. Johnson moved to lay Mr. Wright's motion on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow

Mr. Beekman

Mr. Denniston

Mr. Deyo
Mr. Johnson

Mr. Lester
Mr. Porter

Mr. Sedgwick
M. S. Smith 9

FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons
Mr. Folsom

Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam
Mr. Scovil

Mr. Sanford
Mr. J. B. Smith
Mr. Spencer
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Wright 18

Mr. Johnson then moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beckman
Mr. Denniston

Mr. Deyo
Mr. Johnson
Mr. Lester

Mr. Porter
Mr. S. Smith
Mr. Williams 9

FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons
Mr. Folsom
Mr. Hard

Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam
Mr. Scovil
Mr. Sedgwick

Mr. Sanford
Mr. J. B. Smith
Mr. Spencer
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Wright 19

Mr. President then put the question on agreeing to Mr. Wright's motion to reconsider, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beckman
Mr. Denniston
Mr. Deyo

Mr. Johnson
Mr. Lester
Mr. Porter

Mr. Sedgwick
Mr. S. Smith
Mr. Talcott 10

FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham

Mr. Chamberlain
Mr. Clark

Mr. Emmons
Mr. Folsom

Mr. Hard	Mr. Putnam	Mr. Spencer
Mr. Jones	Mr. Scovil	Mr. Van Schoonhoven
Mr. Lott	Mr. Sanford	Mr. Wheeler
Mr. Mitchell	Mr. J. B. Smith	Mr. Wright

18

Then the Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 24, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. J. N. Campbell.

The minutes of yesterday having been read and approved,

Mr. Beekman presented 25 several petitions for a new county from the towns of Prattsville, Windham and Lexington, in the county of Greene; the towns of Blenheim, Broome and Conesville, in the county of Schoharie; the towns of Roxbury and Middletown, in the county of Delaware, which were severally read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented two several petitions of inhabitants of Randolph, Conewango and Napoli, for the erection of a new county of Conewango, from parts of Cattaraugus and Chautauque counties, which were severally read and referred to the same committee.

Mr. Wheeler presented two several petitions of inhabitants of Otto and Persia, for the erection of a county from parts of Erie, Cattaraugus and Chautauque counties, to be called Irving, which were severally read and referred to the same committee.

Mr. Wheeler presented two several petitions of inhabitants of Hanover, &c., for a new county from parts of the same county, to be called Schuyler, which were severally read and referred to the same committee.

Mr. Chamberlain presented five several petitions of inhabitants of the towns of Pike, Eagle and Portage, to annex said towns to the counties of Wyoming and Livingston, which were severally read and referred to the same committee.

Mr. Chamberlain presented the petition of inhabitants of Cattaraugus county, for a law to construct a railroad from Buffalo to the New-York and Erie railroad at Hinsdale, which was read and referred to the committee on railroads.

Mr. Beekman presented the petition of E. W. Bailey, to erect docks and wharfs on the shore opposite his land on the North river, to accommodate passengers to take the steamboats at Stuyvesant Landing, and to extend his title to the land for 100 feet from high water mark into the North river for this purpose, which was read and referred to the committee on commerce and navigation.

Mr. Burnham presented the petition of 72 citizens of the towns of Hanover and Evans, for a new county from the counties of Erie, Cattaraugus and Chautauque, which was read and referred to the committee on the division of towns and counties.

Mr. Van Schoonhoven presented the petition of sundry inhabitants of Rensselaer and Washington counties, to revive and amend the charter of the Phoenix Bridge Company, which was read and referred to the committee on roads and bridges.

Mr. Young presented the petition of a number of females of the town of Darien, in the county of Genesee, that married women may have their property secured to them by law, and moved that the same be referred to the committee on the judiciary.

Mr. Putnam moved that the same be referred to a select committee.

Mr. President put the question on agreeing to the first motion, and it was decided in the affirmative.

On motion of Mr. Hand,

The Senate proceeded to the further consideration of the report of the committee on public printing, on the motion to print 2,000 extra copies of the report of the Superintendent and Managers of the State Lunatic Asylum at Utica, for the use of the asylum.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Beekman	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. Young
Mr. Deyo	Mr. Porter	

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Thereupon,

Ordered, That the usual number of copies of said report and 2,000 extra copies thereof, be printed.

(See Senate Document No. 25.)

On motion of Mr. Folsom,

The report of the executive committee of the State Normal School was referred to the committee on public printing, to examine and report

whether any, and if so, how many extra copies thereof should be printed.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill entitled "An act to authorize the president and directors of the Seneca Road Company, to abandon a part of their road," reported in favor of the passage thereof with amendments, which was laid on the table.

Ordered, That the usual number of copies of said bill with the amendments, be printed.

On motion of Mr. Lester,

The bill entitled "An act for the apportionment of the members of the Assembly of this State," was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Folsom,

The Senate proceeded to the consideration of the concurrent resolution heretofore offered by him, which was read in the words following, to wit:

Resolved, (if the Assembly concur,) That by the usual number of the copies of documents hereafter ordered to be printed by either branch of Legislature, shall be understood two hundred and fifty copies of bills, and six hundred copies of reports and other documents; and that whenever a motion is made or resolution offered for the printing of an additional number of such documents, the precise number of copies intended by such motion or resolution, shall be distinctly and arithmetically stated therein.

Mr. Folsom moved to amend said resolution by adding thereto, the following:

Resolved, (if the Assembly concur,) That the distribution of printed documents, in either branch of the Legislature, shall continue as at present, to wit:

Of bills—to the Senate, - - - - -	60	copies.
to the Assembly, - - - - -	158	"
to the State Officers, - - - - -	20	"
to the Senate and Assembly libraries, - - - - -	12	"
	<hr/>	
	250	"
	<hr/>	

Of reports and other documents:

to the Senate, - - - - -	80	copies.
to the Assembly, - - - - -	167	"
to the State Officers, - - - - -	21	"
reserved for binding for the Senate, - r - - -	43	"
reserved for binding for the Assembly, - - -	137	"
for the Senate library, - - - - -	16	"
for the Assembly library, - - - - -	18	"
for the counties, public offices, &c., - - - -	118	"
	<hr/>	
	600	"
	<hr/>	

Resolved, (if the Assembly concur,) That the Secretary of State be requested to insert these resolutions in future editions of the Red Book.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

Mr. President then put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

Thereupon,

Resolved, That said resolution do pass.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

Mr. Sedgwick offered the following resolution, which was laid on the table, to wit:

Resolved, That the printer to the Senate print upon the first page of every bill, report or other paper printed by order of the Senate, the cost or expense of the printing thereof.

Mr. Hand offered the following preamble and concurrent resolutions, which were committed to the same committee of the whole, having in charge sundry resolutions relating to the same subject.

WHEREAS, In October, 1842, after settlement by treaty of the north-eastern boundary question, Lord Aberdeen directed Mr. Fox, Her Britannic Majesty's minister, to open with our Government a negotiation in relation to the line of boundary west of the Stony or Rocky mountains, in pursuance of which the American minister in England was authorized to make offers of compromise similar to those before made on the part of the United States, which were made and rejected, and the negotiation was shortly afterwards transferred to Washington :

And whereas, in February, 1844, Mr. Pakenham, the minister of that Government, at Washington, reiterated the anxious desire of his Government to come to an early and satisfactory arrangement of the boundary of the Oregon Territory.

And whereas, in July, 1844, the British minister informed our Government that he had been instructed to repeat the earnest desire of Her Majesty's Government, that a question on which so much interest was felt in both countries, should be disposed of at the earliest moment consistent with the convenience of the United States :

And whereas, in the correspondence which ensued, the rights and claims of the United States to the Oregon Territory, in virtue of discovery and purchase, were clearly set forth and vindicated :

And whereas, this Government, after asserting and sustaining the claims to the whole of the Territory of Oregon, submitted to Her Britannic Majesty's minister a proposition conceived in that spirit of magnanimity which should characterize the action of enlightened nations, and evincing on the part of the United States its strong desire to preserve the relations of amity which existed between the two Governments.

And whereas, that proposition was, in the opinion of this Legislature, hastily if not discourteously rejected :

Resolved, (if the Assembly concur,) As the sense of the Legislature

of New-York, that inasmuch as England, after pressing our Government to the consideration of the Oregon boundary question, has rejected just, fair and conciliatory terms of settlement, without offering any mode of compromise, it becomes the duty of our Government to take the step contemplated by the convention of 1827, when in the opinion of either Government it should be deemed necessary for the protection of its interests or its honor :

Therefore,

Resolved, (if the Assembly concur,) That our Senators and Representatives in Congress be requested to vote for a resolution advising the President of the United States to give to Her Britannic Majesty's Government, at as early a day as in his judgment the rights, the interests and the honor of the American People demand, the notice required by the convention of 1827, for the termination of the joint occupancy by England and the United States of the Oregon Territory.

Resolved, (if the Assembly concur,) That our relations with England impose high and responsible duties upon Congress, and that as the most efficient preparations for war, furnish at all times, the strongest guaranty for peace, the naval and military force of the country should be augmented, while its defence should be promptly strengthened upon our seaboard, and along the line of our northern and northwestern frontier.

On motion of Mr. Young,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the bill entitled "An act in relation to the common schools of the city of Utica," and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Schoonhoven, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled "An act to confirm and legalize the drawing of the grand and petit jury of the county of Otsego," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Porter,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wright from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock on Monday morning.

MONDAY, 11 O'CLOCK, A. M., JANUARY 26, 1846.

The Senate met pursuant to adjournment.

The minutes of Saturday having been read and approved,

Mr. Hard presented a copy of a resolution of the board of supervisors of Orleans county, in favor of the passage of a law authorizing the establishment of a house of refuge in western New-York, which was read and referred to the committee on State prisons.

Mr. Putnam presented a copy of the same resolution, which was read and referred to the same committee.

Mr. Porter presented the petition of contractors and others in the Auburn State prison, against abolishing the office of agent, which was read and referred to the same committee.

Mr. Porter presented the petition of Lewis Bostedo and N. B. Kingland, that the State assume the defence of a suit brought against them for carrying passengers on the Cayuga and Seneca canal, which was read and referred to the Canal Board for their opinion thereon.

Mr. Wright presented three several petitions from the towns of Conesville and Blenheim; also six several petitions from Windham, Lexington, Roxbury and Prattsville, for the erection of a new county from parts of Greene, Delaware and Schoharie; also the proceedings of a mass meeting in Schoharie county, against any reduction of the territorial limits of that county, which were severally read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented two several petitions of inhabitants of Leon, for the new county of Irving, from parts of Erie, Chautauque and Cattaraugus, which were read and referred to the same committee.

Mr. Emmons presented the petition of inhabitants of Collins, for the same purpose, which was read and referred to the same committee.

Mr. Johnson presented two several petitions from the towns of Conesville and Blenheim, for the erection of a new county from parts of Greene, Delaware and Schoharie, which were read and referred to the same committee.

Mr. Johnson presented the petition of inhabitants of Greenbush, Rensselaer county, for an alteration in the time of holding the election upon the excise or licence question, which was read and committed to a committee of the whole, when upon the bill to which it relates.

Mr. Talcott presented resolutions of the Teacher's Institute of Oswego county, against abolishing the office of deputy superintendent of common schools for that county, which was read and referred to the committee on literature.

Mr. Sedgwick presented the proceedings of a meeting of citizens of Salina, in relation to the manufacture of salt, which was read and referred to the committee on finance.

Mr. Wheeler presented the petition of inhabitants of the town of Hinendale, in the county of Cattaraugus, to authorize the construction

of a railroad from Buffalo to Hinsdale, which was read and referred to the committee on railroads.

Mr. Johnson presented the petition of inhabitants of Delaware county, for the passage of an act releasing said county from certain expenses incurred in the maintenance of law and the preservation of order, which was read and referred to the committee on grievances.

Mr. Johnson, from the committee on claims, to whom was referred the petition of John H. Vedder and others, for relief, made a written report thereon, concluding with the following resolution.

Resolved, That the prayer of the petitioner be denied.

Ordered, That said report and papers be laid on the table, and that the usual number of copies of said report be printed.

[See Senate Document No. 29.]

Mr. Putnam, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm and legalize the drawing of the grand and petit jury of the county of Otsego," reported in favor of the passage thereof without amendment, which was agreed to by the Senate.

Thereupon,

On motion of Mr. Putnam,

Ordered, That said bill be now read the third time.

Said bill was then read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to common schools in the city of Utica," which was ordered to a third reading.

On motion of Mr. Spencer,

Ordered, That said bill be now read the third time.

Said bill was then read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Scovil	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Wright
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Folsom		

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

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Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to erect the town of Rice, in the county of Cattaraugus," reported in favor of the passage thereof, which was committed to a committee of the whole.

A bill was received from the Assembly for concurrence entitled "An act to confirm the election and official acts of the town officers of the town of Ellenburgh, in the county of Clinton, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The tenth annual report of the New-York Institution for the Blind was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 38.]

Mr. Backus offered the following resolution,

Resolved, That when the Senate adjourn, it adjourn to meet to-morrow morning at 10 o'clock.

Mr. J. B. Smith moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Putnam	Mr. S. Smith
Mr. Clark	Mr. Scovil	Mr. Spencer
Mr. Denniston	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Deyo	Mr. Sanford	Mr. Williams
Mr. Folsom	Mr. J. B. Smith	Mr. Wright
Mr. Lott		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. Talcott
Mr. Beers	Mr. Jones	Mr. Wheeler
Mr. Burnham	Mr. Porter	Mr. Young
Mr. Emmons		

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On motion of Mr. Young,

The committee on literature was discharged from the further consideration of the petition of the trustees and citizens of school district No. 11, in the town of Otselic, for an act authorizing the raising of money by tax in said district, to be paid to said trustees for money claimed to have been paid by them for the benefit of said district; also the remonstrance of citizens of said district, and that the same be referred to the committee on the judiciary.

On motion of Mr. J. B. Smith,

Resolved, That the Comptroller be requested to report to the Senate the amount of money paid out of the treasury to the Attorney-General beyond his salary, for attending the trials of the anti-renters in the counties of Columbia and Delaware; also the amount, if any, paid to the Adjutant-General beyond his salary, for services in either or both of the said counties, and the time when the payments were made.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

Mr. Porter offered the following resolution, which was laid on the table, to wit:

Resolved, That the agent of the Clinton State prison make a return to the Legislature, containing a detailed statement of the payments made by him on account of said prison, up to the first day of January instant.

Mr. Burnham gave notice that he would at some future time ask leave to bring in a bill to reduce the salaries of certain officers of this State.

On motion of Mr. Clark,

Leave of absence was granted to Mr. Hand, for ten days from Friday last.

Mr. Hand by Mr. Clark, gave notice that he would at some future time ask leave to bring in a bill entitled "An act in relation to suits in courts of law."

On motion of Mr. Lott,

Leave of absence was granted to Mr. Mitchell, for three days from Saturday last.

On motion of Mr. Sanford,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York Historical Society,' passed February 10, 1809, and to amend the same," and after some time spent thereon, Mr. President resumed the chair, and Mr. S. Smith, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lester offered the following resolution, which was laid on the table, to wit:

Resolved, The following be added to the rules of the Senate: No more than one bill shall be referred to the same committee of the whole without the unanimous consent of the Senate.

A message was received from the Assembly, requesting the Senate to transmit to that House the petitions and other papers on file in the Senate, in relation to the alteration of the county line, between the counties of Schoharie and Montgomery.

Thereupon,

Ordered, That the Clerk comply with said request.

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 24th inst., relative to the printing and distribution of the usual number of bills, documents, &c.

Ordered, That the Clerk deliver a copy of said resolution to the Secretary of State.

On motion of Mr. Porter,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,'" and after some time spent thereon, Mr. President resumed the chair, and Mr. Wright from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Barlow,

The Senate then resolved itself into a committee of the whole, on the bill entitled, "An act for the relief of John Moot," and after some time spent thereon, Mr. President resumed the chair, and Mr. Spencer, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate without amendment, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled "An act in relation to the trial of convicts in county and State prisons," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Beers,

Resolved, That the committee on literature be directed to report whether the provisions of the act passed May 26th, 1841, requiring the board of supervisors in each county of this State, to appoint a deputy superintendent of common schools should not be repealed, or so modified as to authorize the board of supervisors in each county to abolish therein the office of county superintendant of common schools; that if said committee shall determine that the provisions of said act should be abolished, or should be modified as aforesaid that they report by bill; if they shall arrive to a different conclusion, that they report the reasons therefore in writing.

On motion of Mr. Lester,

Resolved, That the committee on railroads be instructed to enquire whether the rights and interests of the public do not require,

1. That the fare on all the railroads composing the line of railroads between Albany and Buffalo, should be reduced.
2. That at least one train of passenger cars should be run daily over the said railroads, east and west, without stopping over night.
3. That the cars on the said railroads should be run, so far as the accommodation of the public is concerned, in the same manner as though all the said railroads belonged to one company.
4. That an officer should be appointed or that some existing officer

or board should be required to make regulations for running the cars on the said railroads.

And that the said committee report by bill or otherwise.

On motion of Mr. Clark,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the preamble and concurrent resolutions reported by him, from the committee on the militia, relative to the militia, and after some time spent thereon, Mr. President resumed the chair, and Mr. Sedgwick, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York Historical Society,' passed February 10, 1809, and to amend the same," which was ordered to a third reading.

Then the Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M., JANUARY 27, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The minutes of yesterday having been read and approved,

Mr. Hard presented the petition of inhabitants of Collins, for a new county to be called Irving, from parts of Erie, Cattaraugus and Chautauque counties, which was read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented three several petitions of inhabitants of Dayton and Perrysburgh, for the same purpose, which were read and referred to the same committee.

Mr. Emmons presented the petition of inhabitants of Collins, for the same purpose, which was read and referred to the same committee.

Mr. Wheeler presented four several petitions from the towns of Pomfret, Perrysburgh and Villenova, for the new county of Schuyler, from parts of the same three counties, which were read and referred to the same committee.

Mr. Johnson presented the petition of inhabitants of Hanover and Sheridan, for the same purpose, which was read and referred to the same committee.

Mr. Emmons presented the petition of sundry electors of the town of Otto, in the county of Cattaraugus, for a new county from parts of Erie, Cattaraugus and Wyoming, which was read and referred to the same committee.

Mr. Emmons presented a certified copy of a resolution of the board

of supervisors of the county of Erie, against any division of said county, which was read and referred to the same committee.

Mr. Chamberlain presented the remonstrance of 135 inhabitants of Chautauque county, against all divisions of said county, which was read and referred to the same committee.

Mr. Wright presented seven several remonstrances of citizens of Schoharie county, against annexing any portion of Schoharie county, to the proposed new county of Pratt, which were severally read and referred to the same committee.

Mr. Wright presented the memorial of the manor tenants residing in Schoharie county, for the passage of laws authorizing them to contest the titles of their landlords, to tax the rents reserved on the leases, and for a modification or abolishment of the law of distress, which was read and committed to a committee of the whole, having in charge that subject.

Mr. Sanford presented the petition of the New-York Portable Gas Association for an act of incorporation, which was read and referred to the committee of the whole, having in charge the bill for that purpose.

Mr. Porter presented the petition of the Hudson Fire Insurance Company, for the passage of a law for the correction of erroneous taxes, &c., which was read and referred to the committee on finance.

Mr. Sanford presented the petition of the New-York Equitable Insurance Company, to reduce the capital stock, &c., which was read and referred to the committee on banks and insurance companies.

Mr. Backus presented the petition of the mayor and common council of the city of Rochester, praying for the erection of certain bridges in that city over the State canals, which was read and referred to the committee on canals.

Mr. Denniston, from the committee on canals, to whom was referred the memorial of the Niagara River Hydraulic Company, for relief from a lease, &c., made a written report thereon, concluding with the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

Ordered, That said report be laid on the table, and that the usual number of copies thereof be printed.

[See Senate Document No. 33.]

Mr. Beekman, from the committee on poor laws, to whom was referred the petition of citizens of Westchester county, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act in relation to the appointment of superintendents of the poor in the county of Westchester, and for other purposes,'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Porter, from the committee on grievances, to whom was referred the petition of the Hudson and Berkshire Railroad Company, for relief, asked for and obtained leave to report a bill entitled "An act in relation

to the sinking fund of the Hudson and Berkshire Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed

Mr. Johnson, from the committee on claims, to whom on the 10th inst., was referred the bill entitled "An act for the relief of Amos Kingsley and Archibald Campbell," and who on the 17th inst., reported a new bill with the same title, asked for and obtained leave to report the said first mentioned bill for the consideration of the Senate, which was committed to the same committee of the whole, having in charge the other bill above mentioned.

Ordered, That the usual number of copies of said bill be printed.

Mr. Johnson, from the same committee, to whom were referred the petition and other papers relating to the claim of Briggs Thomas and Eben Worden, for relief, made a written report thereon, concluding with the following resolution.

Resolved, That the prayer of the petitioners be denied.

Ordered, That said report be laid on the table, and that the usual number of copies of said report be printed.

[See Senate Document No. 31.]

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845;" also, the bill entitled "An act for the relief of John Moot," which were severally ordered to a third reading.

Mr. Hard, from the committee on public printing, to whom was referred the motion to examine and report whether any, and if so, how many extra copies should be printed of the report of the Executive Committee of the State Normal School, reported in favor of printing the usual number of copies, and 1,500 extra copies for the use of said school.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Spencer
Mr. Barlow	Mr. Folsom	Mr. Talcott
Mr. Beekman	Mr. Hard	Mr. Van Schoonhoven
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	Mr. Williams

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FOR THE NEGATIVE.

Mr. Beers	Mr. Burnham	Mr. Chamberlain
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Mr. Johnson	Mr. Porter	Mr. S. Smith	
Mr. Jones	Mr. Putnam	Mr. Wright	
Mr. Lester	Mr. J. B. Smith	Mr. Young	12

Mr. Lott moved to reconsider the vote just taken.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Lott	Mr. S. Smith	
Mr. Chamberlain	Mr. Porter	Mr. Spencer	
Mr. Jones	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Lester	Mr. J. B. Smith	Mr. Young	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Sedgwick	
Mr. Barlow	Mr. Emmons	Mr. Talcott	
Mr. Beekman	Mr. Folsom	Mr. Wheeler	
Mr. Burnham	Mr. Hard	Mr. Williams	
Mr. Denniston	Mr. Johnson	Mr. Wright	15

Thereupon,

Ordered, That the usual number of copies of said report and 1,500 extra copies thereof for the use of the State Normal School, be printed.

(*See Senate Document No. 22.*)

The report of the Comptroller answering the resolution of the Senate of the 26th instant, relative to the amount of moneys paid out of the treasury to the Attorney-General beyond his salary, also to the Adjutant-General for services during the anti-rent trouble, &c., was received, read and laid on the table.

Ordered, That the usual number of copies of said report, be printed.

[*See Senate Document No. 28.*]

On motion of Mr. Lester,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That the following be added to the rules of the Senate. No more than one bill shall be referred to the same committee of the whole, without the unanimous consent of the Senate.

Mr. President put the question on agreeing to said resolution and it was decided in the affirmative.

Mr. Folsom offered the following resolution which was laid on the table, to wit:

Resolved, That all bills or resolutions before the Senate shall be taken up and acted upon according to the general orders, without deviation therefrom, except that if any bill or resolutions are not in readiness to be acted upon in such order, they shall be severally passed over until the general orders are exhausted, after which they shall be again called in the same order.

Mr. Beekman offered the following concurrent resolution which was laid on the table, to wit:

Resolved, (if the Assembly concur,) That the Secretary of State permit Daniel Lee, late corresponding secretary of the State Agricultural Society, to print, at his own expense, on the plate of the Geological map of New-York, so many copies of said map as will enable him to supply five hundred copies to the State Agricultural Society, a like number to the American Institute, one hundred copies to each County Agricultural Society, and the Farmer's Club of the city and county of New-York, and one copy to each school district and academy in the State.

Mr. Burnham pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to reduce the salaries of certain officers of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on retrenchment.

Mr. Jones moved that the present and all intervening orders of business be laid on the table, and that the Senate again resolve itself into a committee of the whole, on the several resolutions relative to Texas, Oregon, the Tariff, the Independent Treasury, &c.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. Wheeler
Mr. Chamberlain	Mr. Jones	Mr. Wright
Mr. Clark	Mr. Lott	

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Deyo	Mr. S. Smith	Mr. Williams
Mr. Lester	Mr. Talcott	Mr. Young
Mr. Porter		

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The Senate then again resolved itself into a committee of the whole on said resolutions, and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 28, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. J. N. Campbell.

The minutes of yesterday having been read and approved,

Mr. Beekman presented the petition of inhabitants of the county of Greene, asking that all the banks in this State be required to redeem their notes at par in the cities of New-York or Albany, which was read and referred to the committee on banks and insurance companies.

Mr. Lott presented the petition of Charles Edwards of Glenville, Schenectady county, to confirm his official acts as a justice of the peace, which was read and referred to the committee on the judiciary.

Mr. Putnam presented the petition of Robert W. Murphy, of the county of Albany, for a law to prohibit inn or tavern keepers from being elected or holding the office of justice of the peace, which was read and referred to the same committee.

Mr. Barlow presented the resolutions of a meeting at Cazenovia, on the subject of transporting the mails on railroads, which was read and referred to the committee on railroads.

Mr. Emmons presented the petition of sundry electors of Concord, Erie county, for a new county from parts of Erie, Cattaraugus and Wyoming, which was read and referred to the committee on the division of towns and counties.

Mr. Lester, from the committee on banks and insurance companies, to whom were referred sundry petitions to compel all banks to redeem their notes at par in New-York and Albany; also the bill entitled "An act to amend an act entitled 'An act relating to the redemption of bank notes,' passed May 4, 1840," reported said bill for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Beekman, from the committee on poor laws, to whom was referred the petition of the supervisors of the county of Greene, in relation to town and county poor, asked for and obtained leave to report a bill entitled "An act in relation to the temporary relief of the poor," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

On motion of Mr. Hard,

Resolved, That the report and papers presented to the Senate yesterday in reference to the Niagara Hydraulic Company by the canal committee, be referred back to said committee in order that they may report a bill referring the subject to the Canal Appraisers, to examine into the damages, if any, occasioned by the construction of the ship lock at the dam adjacent to Squaw island.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to abolish the office of superintendent of the poor in and for the county of Tioga, and for other purposes;" also "An act authorizing the board of supervisors of the county of Franklin, to restore the distinction between county and town poor," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled "An act to authorize the circuit judge of the sixth circuit to change the times of holding his court in said circuit," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Lott,

Resolved, That the Comptroller report to the Senate a statement of the payments made for printing since the 19th day of February, 1844, specifying particularly the amounts paid to each person or firm to whom such payments were made, and the time of such payments; and specifying also, the amount, if any, due and payable at the close of the fiscal year for printing, and to whom.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

Mr. Lester called for the consideration of the concurrent resolutions from the Assembly relative to postage.

Mr. Jones moved that the Senate do now proceed to the further consideration of the concurrent resolutions relative to Oregon, &c.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Emmone	Mr. J. B. Smith	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Barlow	Mr. Beekman
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Mr. Denniston
Mr. Deyo
Mr. Johnson
Mr. Lester
Mr. Mitchell

Mr. Porter
Mr. Scovil
Mr. Sedgwick
Mr. Sanford

Mr. S. Smith
Mr. Talcott
Mr. Williams
Mr. Young

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Said resolutions first above mentioned were then read as in the Journal of the 8th instant.

Mr. Lester moved to amend the second resolution so as to read, "our Senators in Congress be instructed and that our Representatives," &c.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

Mr. Young moved further to amend said second resolution by adding thereto the following, to wit: "until the present system shall have been fully tested."

Mr. Wheeler moved to amend said resolution by adding thereto the following, to wit:

Resolved, That our Senators in Congress be instructed and that our Representatives in Congress be requested, to use their endeavors to procure such a change of the present law as to require all postage on letters to be pre-paid or paid in advance.

Thereupon, on motion of Mr. J. B. Smith,

Said resolutions, &c., were laid on the table.

On motion of Mr. Backus,

The present and all intervening orders of business were laid on the table, and the engrossed bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845," was read the third time and passed.

On motion of Mr. Barlow,

The present and all intervening order of business were laid on the table, and the engrossed bill entitled "An act for the relief of John Moot," was read the third time and passed.

Ordered, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence in the same respectively.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, the Tariff, the Independent Treasury, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., JANUARY 29, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The minutes of yesterday having been read and approved,

Mr. Barlow presented the petition of 132 inhabitants of Madison county, praying for an amendment of the law relating to the Seventh Day Baptists, which was read and referred to the committee on the judiciary.

Mr. Johnson presented the petition of Thomas Marvin for relief, &c., which was read and referred to the committee on grievances.

Mr. Beekman presented the petition of the trustees of the Hydrant Company of the city of Albany, for an extension of time to go into operation, and for an addition to their capital, which was read and referred to the committee on manufactures.

Mr. Clark presented the petition of inhabitants of Fort-Ann, Washington county, to abolish capital punishment, which was read and referred to the committee on the judiciary.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of Charles Edwards, a justice of the peace," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize the circuit judge of the sixth circuit to change the times of holding his courts in said circuit," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Lott,

Said bill was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act in relation to the trial of convicts in county and State prisons," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Lott,

Said bill with the engrossed amendments was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. Denniston, from the committee on canals, to whom was yesterday recommitted the papers relating to the Niagara Hydraulic Com-

pany, with instructions to report a bill, &c., reported a bill entitled "An act for the relief of the Niagara River Hydraulic Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Johnson, from the committee on claims, to whom was referred the petition of Nathan S. Hollister for relief, with the report of the Canal Commissioners thereon, &c., asked for and obtained leave to report a bill entitled "An act for the relief of Nathan S. Hollister," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

On motion of Mr. Hard, from the committee on railroads.

Resolved, That within twenty-five days every organized railroad company, incorporated by the Legislature of this State, report to the Senate a statement verified by the oath of its president or secretary, and setting forth the name and residence of every person who was a stockholder in said company at any time during the year 1845, with the number of shares held or owned by such person, and the time when he acquired the same.

Resolved, That a copy of the above resolution be transmitted to the president or secretary of each of the said companies by the Clerk.

On motion of Mr. Chamberlain,

Resolved, That the Comptroller report to the Senate the amount paid out of the treasury of this State, for holding the circuit courts of law and equity in the sixth district, since the resignation of Judge Mcnell, and to whom paid.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

A communication was received from the Hon. John A. Dix, and read in the words following, to wit:

WASHINGTON, Jan. 24, 1846.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

I hereby tender my resignation as a Regent of the University. The meetings of the board, at which its most important business is transacted, are usually held during the session of the Legislature. My duties in Congress do not permit me to attend them; and I have, therefore, considered it due to the public interests, with the care of which the board is charged, to resign my place.

JOHN A. DIX.

The annual report of the Union Bank of New-York of unclaimed dividends, &c., was received, read and laid on the table.

On motion of Mr. Johnson,

Resolved, That the petitions of Jannot C. Shippy and Woodman Kimball, be referred to the Canal Commissioners for their report, and that they specify in their report under what law the work alleged to

have been done on sections 2 and 7, and locks 1, 25 and 32 were done, and the amount of such work and whether the same has been paid: also whether the Canal Board have not ample power by existing laws to make settlement for all breaches of contract for such work, occasioned by the suspension act, passed March 29, 1842.

Ordered, That the Clerk deliver said papers with a copy of said resolution to the Canal Commissioners.

On motion of Mr. Talcott,

Ordered, That the usual number of copies of the resolution offered by him in committee of the whole, as a substitute for the first resolution offered by Mr. Jones relative to Texas, be printed.

On motion of Mr. Talcott,

Resolved, That the register and assistant register, and the clerk in chancery for the eighth circuit, and the several clerks of the supreme court, be required to report severally to the Senate, under oath, within ten days from the passage of this resolution, the total amount of the expenses of their several offices actually paid during the year ending on the 31st day of December last, and that they state the names of all the clerks employed by them during the period above named, and the compensation paid to each of them.

Ordered, That the Clerk transmit a copy of said resolution to each of the officers mentioned therein.

On motion of Mr. J. B. Smith,

Resolved, That the Attorney-General report to the Senate how much he has received from the State for services rendered in his official capacity, exclusive of his salary; also the amount of his charges against the State for services rendered and which have not been paid, the amount received by him in his official capacity which have not been paid out of the treasury, and that he report the items separately, with the sum received or claimed up to this time.

Ordered, That the Clerk deliver a copy of said resolution to the Attorney-General.

On motion of Mr. Emmons,

Resolved, That the Clerk furnish each of the reporters, each of the messengers and the porter of the Senate, with a copy of the Red Book.

Mr. Beers asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act recommending a convention of the people of this State,' passed May 13, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the several concurrent resolutions relative to Texas, Oregon, the Tariff, the Independent Treasury, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Chamberlain,

Ordered, That the usual number of copies of all the amendments

offered to said resolutions in committee of the whole, be printed respectively.

Then the Senate adjourned to 11 o'clock to morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 30, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. W. H. Campbell.

The minutes of yesterday having been read and approved,

Mr. S. Smith presented the petition of inhabitants of the town of Cherry-Creek, in the county of Chautauque, for the erection of the county of Schuyler, which was read and referred to the committee on the division of towns and counties.

Mr. S. Smith presented the petition of inhabitants of the county of Dutchess, for a reduction of the rate of interest, &c. which was read and referred to the committee on the judiciary.

Mr. Beekman presented the petition of inhabitants of the counties of Rensselaer and Albany, in relation to the speed of steamboats through the shoal waters of the Hudson river, which was read and referred to the committee on commerce and navigation.

Mr. Williams presented the resolution of a meeting of the Farmer's Club of Yates county, asking for the establishment of an agricultural school in western New-York, which was read and referred to the committee on agriculture.

Mr. Williams presented the petition of the superintendents of the poor of Clinton county, to be supplied with the Session Laws at the expense of the State, which was read and referred to the committee on poor laws.

Mr. Spencer presented the petition of Betsey Ludovick, an Oneida squaw, praying compensation for certain improvements on lands owned by her, which were ceded to this State by the Oneida Indians in 1840, which was read and referred to the committee on Indian affairs.

Mr. Deyo presented the petition of inhabitants of Ulster county, for the incorporation of a company to build a bridge over the Rondout creek, at Rondout, which was read and referred to the committee on roads and bridges.

Mr. Jones presented the petition of legal voters of the town of Pike, praying that that town, together with the towns of Eagle and Portage, may be annexed to the county of Wyoming, which was read and referred to the committee on the division of towns and counties.

Mr. Clark presented the petition of the Society of True Inspiration, for a law declaring certain trusts valid, and to continue the same, and

for other purposes, at Ebenezer, Erie county, which was read and referred to the committee on charitable and religious societies.

Mr. Folsom presented the memorial of Charles Callaghan, of the city of New-York, in behalf of holders of United States certificates of Mexican indemnity, accompanying the memorial of Sant Angelo to the Congress of the United States, which was read, and

On motion of Mr. Young,

Ordered, That said memorials be laid on the table.

Mr. Hard presented the petitions of citizens of the villages of Canandaigua and of Vienna; also of the Auburn and Rochester Railroad Company, for a law to authorize said company to alter their road, which were read and referred to the committee on railroads.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to authorize the board of town officers of Fishkill, Dutchess county, to appropriate certain moneys," reported in writing against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 33.]

Mr. Talcott, from the committee on retrenchment, to whom was referred the bill entitled "An act in relation to the publication of certain notices in the State paper," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill with the amendments, be printed.

Mr. Talcott, from the same committee, to whom were referred on the 22d instant, resolutions of the board of supervisors of Oswego county, praying among other things that the said board be required to hold but one meeting in each year, and that such meeting be held on Tuesday next after the general election annually, asked for and obtained leave to report a bill entitled "An act to change the time for the annual meetings of the board of supervisors of Oswego county," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Talcott,

Ordered, That said committee be discharged from the further consideration of so much of said resolutions as relates to superintendent of common schools in said county, and that the same be referred to the committee on literature.

Ordered, That said committee be also discharged from so much thereof as relates to the police justice in the village of Oswego, and that the same be referred to the committee on grievances.

Mr. Talcott, from the committee on retrenchment, to whom was referred the petition of the supervisor and justices of the town of Davenport, Delaware county, praying for the repeal of sections 29 and 30 of

the act to reduce the number of town officers and county expenses, and for other purposes, reported adverse to the prayer of the petition, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Talcott, from the same committee, asked for and obtained leave to report a bill entitled "An act to amend the act entitled 'An act to reduce the number of town officers, and town and county expenses,' and to prevent abuses in auditing town and county accounts," passed May 10, 1845, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act providing for proceedings in justices' courts against persons not residing in this State;" also "An act changing the time of holding the circuit courts and courts of oyer and terminer in the county of Fulton," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Cyril Carpenter, Isaac Josleyn and Isaac Barnes, now or late trustees of district No. 10, in the town of Sweden," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly, entitled "An act in relation to the trial of convicts in county and State prisons," with a message informing, that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

The Comptroller's report in answer to the resolution of the Senate of the 29th inst., in relation to the expenses of circuit courts in the sixth district, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 35.]

On motion of Mr. Jones,

Resolved, That on and after Monday next, and until otherwise ordered, the Senate will meet at 10 o'clock, A. M.

Mr. Porter offered the following resolution,

Resolved, That the Comptroller report to the Senate, the expense that would have been incurred by the State, had his Excellency the Governor called the Senate together during the sitting of the Court for the Correction of Errors at New-York, in the month of June last, for the purpose of appointing a circuit judge of the sixth district to fill the vacancy that then existed in that district, and what such expense would have been, in case no payments were made to the Senators for travel; and also the amount of the salary of said judge from that time, until the

annual meeting of the Senate ; and that the Comptroller also report to the Senate the expense to the State of a special session of the Senate at Buffalo, in the year 1841.

Mr. Putnam moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam	
Mr. Emmons	Mr. Hard		5

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. Spencer	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Beers	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Porter	Mr. Wheeler	
Mr. Clark	Mr. Sedgwick	Mr. Williams	
Mr. Denniston	Mr. Sanford	Mr. Wright	
Mr. Deyo	Mr. J. B. Smith	Mr. Young	
Mr. Johnson	Mr. S. Smith		23

Mr. President then put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

On motion of Mr. Wheeler,

Resolved, That the bill from the Assembly to erect the town of Rice, from part of Hinsdale in the county of Cattaraugus, be recommitted to the committee of the Senate, on the division of towns and counties.

On motion of Mr. Beekman,

The Senate proceeded to the further consideration of the concurrent resolution heretofore offered by him, relative to the Geological map of the State.

Mr. Beekman then withdrew said resolution, and asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the geological map of the State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill from the Assembly entitled "An act to confirm the official acts of Charles Edwards, a justice of the peace," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The engrossed bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York Historical Society, passed February 10, 1809,' and to amend the same," was read the

third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. Talcott
Mr. Beers	Mr. Johnson	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Jones	Mr. Wheeler
Mr. Clark	Mr. Lott	Mr. Williams
Mr. Denniston	Mr. Mitchell	Mr. Wright
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Emmons	Mr. Putnam	

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FOR THE NEGATIVE.

Mr. Lester

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

A bill was received from the Assembly for concurrence entitled "An act relative to school district number eight in the town of Brutus," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A copy of a resolution was received from the Assembly and read in the words following, to wit :

Resolved, (if the Hon. the Senate concur,) That the two Houses of the Legislature proceed on Monday the second day of February next, to elect a Treasurer for the State, and two Regents of the University.

Thereupon,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver to the Assembly a copy of said resolution of concurrence.

On motion of Mr. Hard,

The Senate proceeded to the further consideration of the report of the committee on public printing, on the reports of the majority and minority of the inspectors of the Auburn State Prison.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

Thereupon,

Ordered, That the usual number and 150 extra copies for the use of the State prison as required by law, of said reports respectively, with accompanying documents, be printed.

[See Senate Document No. 46.]

Mr. Lester offered the following resolution, which was laid on the table, to wit :

Resolved, That the following be added to the rules of the Senate :

Unfinished business generally shall be in order next after the third reading of bills: and bills in the unfinished business shall be taken up in the order in which they stood on the general orders.

On motion of Mr. Barlow,

Resolved, That the subject and propriety of selling the copyright of the Natural History of the State of New-York, be referred to the committee on the judiciary, and that they have leave to report by bill or otherwise.

Then the Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 31, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The minutes of yesterday having been read and approved,

Mr. S. Smith presented the resolution of the board of supervisors of the county of Dutchess, in favor of restoring the distinction between town and county poor, which was read and referred to the committee on poor laws.

Mr. Sandford presented the memorial of Robert H. Morris, Preserved Fish, Campbell P. White, Fernando Wood and others, Episcopal inhabitants of New-York, praying the repeal or amendment of the act entitled "An act to alter the name of the corporation of Trinity church in New-York, and for other purposes," passed January 25, 1814," which was read and referred to the committee on charitable and religious societies.

Mr. Enmons presented the petition of electors of Sardinia, Erie county, for the erection of a new county from parts of Erie, Cattaraugus and Wyoming, which was read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented a petition from Perrysburgh, for the erection of the county of Irving, from parts of Erie, Cattaraugus and Chautauque counties, which was read and referred to the same committee.

Mr. Deyo presented the petition of inhabitants of the town of Villenova, Chautauque county, for the erection of the county of Schuyler, which was read and referred to the same committee.

Mr. Talcott presented the petition of Edwin W. Clark, of Oswego, for a law to prohibit the flogging of convicts in the State prisons, which was read and referred to the committee on State prisons.

Mr. Van Schoenhoven presented the petition of sundry inhabitants of the counties of Rensselaer and Washington, for the revival and

amendment of the charter of the Phoenix Bridge Company, which was read and referred to the committee on roads and bridges.

Mr. Beekman, from the committee on poor laws, to whom was referred the petition of the superintendents of the poor of Clinton county, asking to be supplied with the Session Laws at the expense of the State, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act relative to school district number eight, in the town of Brutus," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and

On motion of Mr. Porter,

Said bill was ordered to a third reading.

Said bill was then read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Beekman, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act authorizing the board of supervisors of the county of Franklin, to restore the distinction between county and town poor," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

On motion of Mr. Sedgwick,

Ordered, That the committee on poor laws be discharged from the further consideration of the bill from the Assembly entitled "An act to abolish the office of superintendents of the poor in and for the county of Tioga, and for other purposes," and that said bill be referred to the committee on the judiciary.

Mr. Jones, from the committee on the division of towns and counties, to whom was recommitted the bill from the Assembly entitled "An act to erect the town of Rice, in the county of Cattaraugus," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Putnam, from the committee on commerce and navigation, to whom was referred the petition of Edward W. Bayley, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize Edward W. Bayley, to erect a dock adjoining his land on the Hudson river," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Putnam, from the committee on the judiciary, to whom was referred the petition of Robert W. Murphy, of the county of Albany, for a law to prohibit inn or tavern keepers from being elected or holding the office of justice of the peace, asked for and obtained leave to report a bill entitled "An act in relation to the jurisdiction of the justices' court,"

which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

The report of the clerk of the supreme court at Albany, answering the resolution of the Senate of the 29th inst., relative to clerk hire, &c., in his office during the year 1845, was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report, be printed.

[See Senate Document No. 34.]

On motion of Mr. Scovil,

Ordered, That the committee on grievances be discharged from the further consideration of the petition of Thomas Marvin, for relief; also the petition of inhabitants of Delaware county, for the passage of a law releasing said county from certain expenses incurred in the maintenance of the laws and the preservation of order, and that the said petitions be referred to the committee on public expenditures.

Mr. Spencer asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend article 2d, title 5th, chapter 6th of the 3d part of the Revised Statutes, relative to executions against property," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Mitchell,

Resolved, That the Comptroller report to the Senate, the amount paid per day for the services of men and horses used in enforcing the laws and preserving order in the county of Delaware, under the eighth section of "An act to enforce the laws and preserve order," of the laws of 1845.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

On motion of Mr. Lester,

The Senate proceeded to the further consideration of the concurrent resolutions from the Assembly, relative to postage, which were read as in the Journal of the 8th inst., with the amendments thereto, as in the Journal of the 28th inst.

Mr. President put the question on agreeing to the amendment offered by Mr. Young, to the second resolution, and it was decided in the affirmative.

Mr. Wheeler then withdrew his said amendment.

Mr. J. B. Smith moved to amend said resolution by adding thereto the following, to wit:

Resolved, As the sense of this Legislature, that such amendments of the present laws as will prevent existing abuses should be made.

Debates being had but without taking the question thereon.

Mr. J. B. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Folsom	Mr. Scovil	Mr. Wheeler	
Mr. Mitchell	Mr. J. B. Smith		8

FOR THE NEGATIVE.

Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Deyo	Mr. Sedgwick	Mr. Williams	
Mr. Johnson	Mr. Sanford	Mr. Young	9

Mr. President then put the question on agreeing to the amendment offered by Mr. J. B. Smith, and it was decided in the negative.

Mr. President then put the question on agreeing to the said concurrent resolutions with the amendments thereto, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Mitchell	Mr. Spencer	
Mr. Denniston	Mr. Putnam	Mr. Talcott	
Mr. Deyo	Mr. Sedgwick	Mr. Van Schoonhoven	
Mr. Folsom	Mr. Sanford	Mr. Wheeler	
Mr. Johnson	Mr. J. B. Smith	Mr. Williams	
Mr. Lester	Mr. S. Smith	Mr. Young	18

FOR THE NEGATIVE.

Mr. Scovil	1
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Ordered, That the Clerk return a copy of said resolutions to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

Mr. Sedgwick asked for and obtained leave of absence for Mr. Barlow, for 8 days from this day.

Mr. Mitchell asked for and obtained leave of absence for Mr. Lott, for 8 days from this day.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., FEBRUARY 2, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy,

The minutes of Saturday having been read and approved,

Mr. Chamberlain presented the petition of inhabitants of Cattaraugus county, for a law to construct a railroad from Buffalo to Hinsdale, which was read and referred to the committee on railroads.

Mr. Johnson presented the remonstrance of inhabitants of Windham, in the county of Greene, against any division of that county, which was read and referred to the committee on the division of towns and counties.

Mr. Emmons presented the petition of inhabitants of Concord, for the erection of a new county from parts of Erie, Cattaraugus and Wyoming, which were read and referred to the same committee.

Mr. S. Smith presented the petition of sundry inhabitants of the town of Westchester, in the county of Westchester, for a division of said town, which was read and referred to the same committee.

Mr. Johnson presented the petition of inhabitants of Delaware county, for the passage of an act for their protection, similar to the one passed in favor of the mechanics in the city of New-York, which was read and referred to the committee on the judiciary.

Mr. Clark presented four several petitions of the officers and soldiers of the 151st regiment and 25th brigade for certain alterations and reforms in the militia laws, which were read and referred to the committee on the militia.

Mr. Sanford presented the petition of the stockholders of the New-York and New-Haven Railroad Company, to take and hold lands, which was read and referred to the committee on railroads.

Mr. Sanford presented the memorial of Walter Bowne, William Whitlock, Jr., James W. Dominick, Jr., William Irving and others, Episcopal inhabitants of New-York, praying the repeal or amendment of the act entitled "An act to alter the name of the corporation of Trinity church in New-York, and for other purposes," passed January 25, 1814," which was read and referred to the committee on charitable and religious societies.

Mr. Sanford presented the petition of Philip Ketteren, Kail Klinenberg and others, for the incorporation of the Jackson Verein in the city of New-York, which was read and referred to the same committee.

Mr. Sanford presented the petition of inhabitants of the city of New-York, for the incorporation of the Wohlfarts Verein der Deutschen Schumacher, in the city of New-York, which was read and referred to the same committee.

The engrossed bill entitled "An act in relation to common schools in the city of Utica," having been passed by both branches of the Legislature, and a verbal error discovered therein before said bill was delivered to the Governor,

Mr. Spencer by unanimous consent offered the following resolution.

Resolved, (if the Assembly concur,) That the engrossed bill entitled "An act in relation to common schools in the city of Utica," be amended as follows, by inserting in the fifth line of the third section thereof, after the word "city," the words "to raise."

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Beckman	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lester	Mr. Spencer
Mr. Clark	Mr. Mitchell	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Young
Mr. Deyo	Mr. Putnam	

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Ordered, That the Clerk deliver said bill to the Assembly, with a copy of said resolution, and request their concurrence in the same.

Afterwards,

Said bill was received from the Assembly with a message informing that they had concurred in said resolution and the amendment therein mentioned.

Said bill having been amended as agreed upon by the two houses.

Ordered, That the Clerk deliver the said bill to the Governor.

A copy of a resolution was received from the Assembly and read in the words following, to wit :

Resolved, (if the Senate concur,) That the Secretary of State be requested to procure one hundred and fifty copies of the census map of this State, at a price not exceeding seventy-five cents each, for the use of the members of the convention of this State.

Ordered, That said resolution be laid on the table.

The annual reports of the Bowery and Greenwich Saving's Banks respectively, were received, read and laid on the table.

On motion of Mr. Jones,

The Senate then again resolved itself into a committee of the whole on the preamble and concurrent resolutions reported by Mr. Clark, from the committee on the militia and public defence, and after some time spent thereon, Mr. President resumed the chair, and Mr. Sedgwick, from said committee, reported progress, and asked for and obtained leave to sit again.

The hour of twelve having arrived, the Senate in pursuance of a resolution of the Senate and Assembly, proceeded to nominate on their part a Treasurer of the State, and two Regents of the University, in the place of James Thompson, deceased, and John A. Dix, resigned : when each Senator present openly nominated a Treasurer, as follows :

FOR THOMAS FARRINGTON.

Mr. Beekman	Mr. Johnson	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. S. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Scovil	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Folsom		

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FOR HORACE U. SOPER.

Mr. Backus	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Spencer	5

Thereupon,

On motion of Mr. Chamberlain,

Resolved, That Thomas Farrington be, and he is hereby nominated on the part of the Senate, Treasurer of the State.

Each Senator present then openly nominated two Regents of the University, as follows:

FOR JOHN L. O'SULLIVAN AND ROBERT CAMPBELL, JR.

Mr. Beekman	Mr. Johnson	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. S. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Scovil	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
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JOHN M. HOLLEY AND CHARLES P. KIRKLAND.

Mr. Backus	Mr. Folsom	Mr. Spencer
Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven
		6

Thereupon,

On motion of Mr. Sedgwick,

Resolved, That John L. O'Sullivan and Robert Campbell, Jr. be, and they are hereby nominated on the part of the Senate, Regents of the University, in the place of James Thompson, deceased, and of John A. Dix, resigned.

On motion of Mr. Backus,

Resolved, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly Chamber, to compare their nominations for the offices of Treasurer and two Regents of the University, in the place of James Thompson, deceased, and John A. Dix, resigned.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

A message was received from the Assembly, informing that they had concurred in the said resolution, and that they will immediately meet the Senate in the Assembly Chamber for the purposes therein mentioned.

The President accordingly left the chair and with the Senate proceeded to the Assembly Chamber, and on comparing their nominations for the offices of Treasurer of the State and two Regents of the University, they were found to agree in the name of Thomas Farrington, for Treasurer of the State, and in the names of John L. O'Sullivan and Robert Campbell, Junior, for Regents of the University.

Thereupon,

The President announced and declared the said Thomas Farrington to be duly appointed Treasurer of the State, and the said John L. O'Sullivan and Robert Campbell, Junior, to be duly appointed Regents of the University.

The Senate having returned to the Senate Chamber, the President announced said proceedings to have taken place.

A bill was received from the Assembly entitled "An act to confirm the official acts of Charles Edwards, a justice of the peace," with a message, informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

The report of the Canal Commissioners upon the petition of Woodman Kimball, for relief, answering a resolution of the Senate of the 29th ult., was received, read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

(See Senate Document No. 40.)

The report of the Comptroller, in answer to a resolution of the Senate of the 31st ultimo., relative to the amount paid for the services of men and horses in Delaware county, &c. was received, read and referred to the committee on public expenditures.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 37.]

The report of the Register in Chancery, relative to clerk hire in his office, answering the resolution of the Senate, was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 39.]

The report of the Attorney-General, answering a resolution of the

Senate of the 29th ult., relative to the amount he has received from the State for services in his official capacity, exclusive of his salary, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

(*See Senate Document No. 36.*)

On motion of Mr. Chamberlain,

Resolved, That his Excellency the Governor be requested to transmit to the Senate, the report made by the special agent on the affairs of the Seneca Indians, residing on the Cattaraugus and Allegany reservations; also such other papers as he may deem necessary for the information of the Senate, relating to said Indians which may be in his possession.

Ordered, That the Clerk deliver a copy of said resolution to the Governor.

The Senate then resolved itself into a committee of the whole, on the bill entitled, "An act concerning the District Attorney of the county of Orange," and after some time spent thereon, Mr. President resumed the chair, and Mr. Scovil, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate, to the concurrent resolutions relative to postage, and had amended the same accordingly.

The said amended resolutions having been examined.

Ordered, That the Clerk return the same to the Assembly.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York Historical Society, passed February 10, 1809,' and to amend the same," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act in relation to Carll-street in the city of Brooklyn;" also, "An act in relation to part of the Bedford road in the city of Brooklyn," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York Historical Society, passed February 10, 1809,' and to amend the same;" and also the bill entitled "An act in relation to common schools in the city of Utica."

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., FEBRUARY 3, 1846.

The Senate met pursuant to adjournment.

The minutes of yesterday having been read and approved,

Mr. Sedgwick presented the affidavit of Isaac Joslyn, in relation to a bill to impose a tax on school district number 10, in the town of Sweden, which was read and referred to the committee on literature.

Mr. Folsom presented the memorial of a majority of chiefs of the Seneca Nation residing on the Cattaraugus reservation, remonstrating against the proposed amendments of the law of 1845, relating to the Senecas, which was read and referred to the committee on Indian affairs.

Mr. Beekman presented the petition of citizens of the county of Greene, that all banks in the State be required to redeem their notes at par in New-York or Albany, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Beekman presented five several remonstrances from the town of New-Baltimore, in the county of Greene, against taking from that county the towns of Lexington, Windham and Prattsville, and attaching them to a new county, which were read and referred to the committee on the division of towns and counties.

Mr. Young presented the remonstrance of inhabitants of the county of Chautauque, against any division of said county, which was read and referred to the same committee.

Mr. Johnson presented five remonstrances from the town of Windham, and one from the town of Lexington, in the county of Greene, against any division of that county; also three like remonstrances from Catskill, which were severally read and referred to the same committee.

Mr. Wheeler presented two several petitions from inhabitants of New Albion, for a new county from parts of Chautauque and Cattaraugus counties, to be called Conewango, which were read and referred to the same committee.

Mr. Wheeler presented two several petitions from inhabitants of Otto and Perrysburgh, for the new county of Irving, from parts of Erie, Cattaraugus and Chautauque counties, which were read and referred to the same committee.

Mr. Wright presented two several remonstrances of inhabitants of Blenheim, Schoharie county, against annexing any portion of said county to the proposed county of Pratt, which were read and referred to the same committee.

Mr. Young presented the petition of Uriah Johnson and many others, that the property of married women may be secured to them by law, which was read and referred to the committee on the judiciary.

Mr. Johnson presented the petition of inhabitants of the county of Delaware, for a law authorizing the clerk of said county to transcribe

certain documents in his office, which was read and referred to the same committee.

Mr. Scovil presented the petition of Henry Ragan, for a law to confirm his official acts as a justice of the peace, which was read and referred to the same committee.

Mr. Beekman presented the petition of inhabitants of the town of Kinderhook, for the abolition of the office of county superintendent of common schools, which was read and referred to the committee on literature.

Mr. J. B. Smith presented the petition of William Wicks, a loan officer in the county of Suffolk, for a law requiring the payment of money loaned in said county, under the act of 1792, which was read and referred to the committee on finance.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act concerning the district attorney of the county of Orange," which was ordered to a third reading.

Mr. Young, from the committee on literature, to whom were referred the petitions of Dudley P. Phelps and Charles B. Sedgwick, respectively, of Syracuse, and the letter of N. S. Benton, Secretary of State, in relation to the Natural History of New-York, asked for and obtained leave to report a bill entitled "An act in relation to the Natural History of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill, be printed.

Mr. Wright asked for and by unanimous consent obtained leave to bring in two several bills with the following titles, to wit: "An act in relation to pleading in certain cases;" also "An act to amend the act to abolish imprisonment for debt and to punish fraudulent debtors," passed April 26, 1831, which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Mr. Hard gave notice that he would at some future time ask leave to bring in a bill for the relief of Briggs Thomas and Eben Worden.

On motion of Mr. Deyo,

Resolved, That the petition and papers relative to incorporating a company to build a bridge across the Rondout creek, at Rondout, be taken from the files and referred to the committee on roads and bridges.

On motion of Mr. Folsom,

Resolved, That the committee on railroads enquire and report to the Senate what railroad companies in this State, if any, have refused to contract with the Post-Office Department for the transportation of the mails, on such terms as come within the provisions of the acts of Congress relating to that subject. And to inquire whether any railroad company within this State has refused to comply with the provisions of the act of the last session of the Legislature, where the parties could not agree upon the terms of transporting the mail, and if any company has so refused, the reason of such refusal, and that the said committee have power to send for persons and papers.

Mr. Porter offered the following resolution, which was laid on the table, to wit:

Resolved, That the Corporation of Trinity Church in the city of New-York, make a return to the Senate, under the oath of the appropriate officer of said Corporation, stating therein the whole amount of their real and personal estate; and also, stating in detail the several lots or parcels of lands owned by them, or from which they draw an annual income; and also stating in detail all the rents, income and profits annual in their nature to which the said Corporation is entitled; and that said return be made within twenty days after the service of this resolution on the rector or either of the wardens or vestrymen of said church.

On motion of Mr. Porter,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to amend the act entitled 'An act to incorporate the Eddyville Bridge Company,' passed April 22d, 1844;" also "An act to amend an act entitled 'An act regulating highways and bridges in the counties of Suffolk, Queens and Kings,' passed February 23, 1830," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., FEBRUARY 4, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.

The minutes of yesterday having been read and approved,

Mr. Sanford presented the memorial of the trustees of the American Institute for a share of the literature fund, and a remission of taxes on the contemplated edifice for a repository, which was read and referred to the committee on literature.

Mr. Mitchell presented the petition of 175 inhabitants of the town of Glen and Mohawk, in the county of Montgomery, for a repeal of the law entitled "An act to increase the revenues of the State by extending the market for salt, coal and lead," passed April 18, 1843, which was read and referred to the committee on finance.

Mr. Beekman presented the petition of owners and freighters of ves-

sels, for the passage of an act regulating the speed of steamboats in passing certain wharves, between Albany and Catskill, which was read and referred to the committee on commerce and navigation.

Mr. Wright presented the petition of sundry inhabitants of Auburn and its vicinity, in relation to the death of the convict Charles S. Plumb, and the practice of flogging in general in the State prison, which was read and referred to the committee on State prisons.

Mr. Burnham presented the petition to incorporate a Woollen Manufacturing Company, in the town of Greene, in the county of Chenango, which was read and referred to the committee on manufactures.

Mr. Beers presented the petition of the Cayuga and Susquehannah Railroad Company for an alteration of their charter, which was read and referred to the committee on railroads.

Mr. Beekman presented three several petitions of inhabitants of Greene county and vicinity, for a law to compel all banks in this State to redeem their notes at par in New-York or Albany, which were severally read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Wright presented a similar petition from citizens of Schoharie county, which was read and referred to the same committee.

Mr. Sanford presented the memorial of the mayor, aldermen and commonalty of the city of New-York, asking for an amendment of the act of April 18, 1843, in regard to the Croton water, which was read and referred to a select committee, to consist of the Senators attending the Senate from the 1st Senate district.

Mr. Johnson presented thirteen several petitions from Roxbury, for a new county from parts of Delaware, Greene and Schoharie counties, which were severally read and referred to the committee on the division of towns and counties.

Mr. Johnson presented thirteen several remonstrances and resolutions of inhabitants of the town of Middletown, signed by 227 persons, against the new county of Pratt, and all division of Delaware county, which were read and referred to the same committee.

Mr. Johnson presented a like remonstrance of inhabitants of Roxbury, Delaware county, which was read and referred to the same committee.

Mr. Johnson presented the remonstrances of inhabitants of the town of Durham, Greene county, against any division of that county, which was read and referred to the same committee.

Mr. Beekman presented four several remonstrances of inhabitants of Delaware county, also one from Schoharie county, against the new county at Prattsville; also seven several remonstrances from inhabitants of the town of Hunter, against the division of the county of Greene; also two remonstrances of inhabitants of Coxsackie, against the same; also three several remonstrances of inhabitants of the town of Cairo, against the division of the county of Greene, which several remonstrances were read and referred to the same committee.

Mr. Wright presented five several petitions from Windham; also three from Prattsville; also five from Lexington, in the county of

Greene; also four from Blenheim, in the county of Schoharie; also two from Broome, in the same county; also three from Conesville, in the same county, all praying for a new county, from parts of the counties of Schoharie, Delaware and Greene, which were severally read and referred to the same committee.

Mr. Beers presented two several petitions from Dayton, for the erection of the new county of Irving, from parts of Erie, Cattaraugus and Chautauque counties, which were read and referred to the same committee.

Mr. Wheeler presented the proceedings of a meeting of the citizens of the county of Cattaraugus, remonstrating against any division of that county, which were read and referred to the same committee.

Mr. Wright, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act changing the time of holding the circuit courts and courts of oyer and terminer in the county of Fulton," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Putnam, from the same committee, to whom was referred the bill from the Assembly entitled "An act to abolish the office of superintendents of the poor, in and for the county of Tioga, and for other purposes," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Putnam, from the same committee, to whom was referred the engrossed bill from the Assembly entitled "An act providing for proceedings in justices' courts against persons not residing in this State," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Putnam, from the committee on the judiciary, to whom was referred the petition of inhabitants of the county of Delaware, for the passage of a law authorizing the clerk of said county to transcribe certain indexes in his office, asked for and obtained leave to report a general bill entitled "An act to authorize the county clerks to procure new indexes in certain cases for the books of records of deeds and mortgages," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Putnam, from the same committee, to whom was referred the petition of certain mechanics of Delaware county, for the passage of an act for their protection, similar to the one passed in favor of the mechanics in the city of New-York, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Wright from the same committee, to whom were referred two several bills with the following titles, to wit: "An act in relation to pleadings in certain cases;" also "An act to amend the act to abolish imprisonment for debt and to punish fraudulent debtors, passed April 26, 1831," reported in favor of the passage thereof respectively, which were severally committed to a committee of the whole.

Ordered, That the usual number of copies of said bills respectively, be printed.

Mr. Johnson, from the committee on claims, to whom were referred the petition and papers for the relief of Patrick Cooney, reported in writing thereon, and asked for and obtained leave to report a bill entitled "An act for the relief of Patrick Cooney," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill and report respectively, be printed.

[*See Senate Document No. 46.*]

A bill was received from the Assembly for concurrence entitled "An act in relation to the county of Genesee," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled "An act to confirm the election and official acts of the town officers of the town of Clinton, in the county of Clinton, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Deyo, from the committee on roads and bridges, to whom was referred the petition of citizens of the county of Ulster, for a law authorizing the erection of a toll bridge over the Rondout-Kill, at Rondout, asked for and obtained leave to report a bill entitled "An act to incorporate the Rondout Bridge Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

The report of the clerk of the supreme court at New-York, answering the resolution of the 29th ultimo, relating to clerk hire in his office, was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 42.*]

The annual report of the superintendent of the Montezuma Salt Springs was received, read and referred to the committee on manufactures.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 41.*]

The report of the Rensselaer and Saratoga Railroad Company, answering the resolution of the Senate of the 29th ultimo, showing the names and residences of the stockholders during the year 1845, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 43.*]

Mr. Hard pursuant to notice asked for leave to bring in a bill entitled "An act for the relief of Briggs Thomas and Eben Worden."

Mr. President put the question on granting leave, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick	
Mr. Burnham	Mr. Jones	Mr. Sanford	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Putnam	Mr. Wright	
Mr. Folsom	Mr. Scovil		14

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	Mr. S. Smith	
Mr. Deyo	Mr. Porter	Mr. Talcott	
Mr. Johnson	Mr. J. B. Smith	Mr. Young	9

Thereupon,

Mr. Hard brought in a bill entitled as above mentioned, which was read the first time, and by unanimous consent was also read a second time, and with the petitions and papers of Thomas and Worden, and the adverse report of the committee on claims thereon, were committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Johnson,

Resolved, That the petition and papers in relation to a proposed new town from parts of Chatham, Ghent and Austerlitz, be taken from the files of the Senate, and referred to the committee on the division of towns and counties.

Mr. Clark offered the following resolution, which was laid on the table, to wit:

Resolved, That the Canal Commissioners report to the Senate a full statement in detail of all moneys paid by the superintendent, or by any other person, and by whom, for the last fifteen months on the northern section of the Champlain Canal and the Glen's Falls Feeder; a copy of the pay or check rolls of daily labor, with the names of the persons and dates of each day's labor paid for, with the evidence and vouchers of such payment and of the performance of such labor.

Also a statement of the amount paid or allowed the said superintendent for time or services on said canal, and the time for which the same was so paid or allowed; and whether the acting Commissioner on said

canal or any other Commissioner knew or had information, whether the said superintendent was employed during the said time for which he was so paid, or whether he was absent, and if absent where and for what time, and whether such absence was with the permission of the said Commissioners or any of them.

Also the gross amount paid on said section in each year for four years past.

On motion of Mr. Beers,

Resolved, That the committee on the judiciary be directed to enquire, whether this State should not provide compensation to persons who shall upon requisitions granted under the treaty commonly called the Ashburton Treaty, arrest offenders against the criminal laws of this State, and if by the committee deemed necessary, that they report by bill.

On motion of Mr. Beers,

Resolved, That the committee on public expenditures be directed to report what compensation should be allowed to the treasurers of the several counties of this State, for performing the duties imposed upon them by the act entitled "An act in relation to the Natural History of New-York," passed May 3d, 1844, that if said committee conclude that any compensation should be allowed, that they report by bill.

On motion of Mr. Porter,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c. and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. S. Smith asked for and obtained leave of absence for Mr. Deniston, for eight days from this day.

A message was received from the Governor, answering the resolution of the Senate of the 2d inst., relative to the condition of the Seneca Indians, which was read in the words following, to wit:

EXECUTIVE CHAMBER, }
Albany, February 4, 1846. }

To the President of the Senate,

SIR:

I have the honor herewith to transmit to the honorable the Senate my reply to its resolution of the 2d instant, calling for information in relation to the Seneca Indians, together with the documents in my possession in relation to that subject.

With great respect,

I am, your ob'dt serv't,

SILAS WRIGHT.

Which message and documents were referred to the committee on Indian affairs.

On motion of Mr. Chamberlain,

Ordered, That the usual number of copies of the message with the report of the agent only, be printed.

[*Senate Document No. 57.*]

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., FEBRUARY 5, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Fisher.

The minutes of yesterday having been read and approved,

Mr. Beekman presented two several petitions of inhabitants of Chatham, Ghent and Austerlitz, Columbia county, for the erection of a new town from parts of said towns, to be called the town of Oregon, which were read and referred to the committee on the division of towns and counties.

Mr. Beekman presented four several petitions from Windham, Lexington and Prattsville, for a new county from Greene, Delaware and Schoharie counties, which were read and referred to the same committee.

Mr. Beekman presented the remonstrance of inhabitants of the town of Cairo, against the division of the county of Greene, which was read and referred to the same committee.

Mr. S. Smith presented four several remonstrances from the towns of Andes and Bovina, in the county of Delaware, against the proposed new county of Pratt, which were read and referred to the same committee.

Mr. Johnson presented the remonstrance of inhabitants of the town of Harpersfield, against any division of Delaware county, which was read and referred to the same committee.

Mr. Lester presented the petition of inhabitants of Eagle, Allegany county, that the towns of Eagle, Pike and Portage, in that county, may be annexed to Wyoming county, which was read and referred to the same committee.

Mr. Wheeler presented the petition from Perrysburgh, for the erection of the county of Irving, from parts of Erie, Cattaraugus and Chautauque, which was read and referred to the same committee.

Mr. Wright presented three several remonstrances from inhabitants of Schoharie county, against annexing any portion of said county to the proposed county of Pratt, which were read and referred to the same committee.

Mr. Beekman presented the petition of inhabitants of the counties of Greene and Ulster, to compel all banks in this State to redeem their bills

at par in the cities of New-York or Albany, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Hard, from the committee on railroads, to whom was referred the petition of the stockholders of the New-York and New-Haven Railroad Company, to take and hold lands, asked for and obtained leave to report a bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their road from the Connecticut line, to the New-York and Harlem Railroad," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill, be printed.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act relating to part of the Bedford Road in the city of Brooklyn," reported in favor of the passage thereof which was committed to a committee of the whole.

Mr. Mitchell, from the same committee, to whom was referred the bill from the Assembly entitled "An act regulating highways and bridges in the counties of Suffolk, Queens and Kings," passed February 23, 1830, reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Thereupon,

On motion of Mr. Mitchell,

Said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Mitchell from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act to incorporate the Eddyville Bridge Company, passed April 22, 1844,'" reported in favor of the passage thereof, which was committed to a committee of the whole.

The report of the Comptroller, in answer to a resolution of the Senate of the 29th ultimo, relative to the public printing, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 56.]

On motion of Mr. Scovil,

Resolved, That the Commissioners of the Canal Fund report to the Senate a statement of the tolls collected on each article coming from or going to other States or Canada, on the canals of the State, during the last season of navigation, and how much less the said tolls would have been at the rate of tolls fixed by the Canal Board for 1846.

On motion of Mr. Porter,

Resolved, That the committee on manufactures be instructed to enquire what, if any, regulations now exist, by which the Superinten-

dent of the Montezuma Salt Springs is required to account for the amount of salt duties which he received, or might have received, and for the payments made by him out of those duties ; and if there are no such regulations, then to enquire what regulations are proper and necessary ; and to report a bill, if in their opinion it shall be expedient, to provide that former as well as the present and future Superintendents of said Salt Springs, shall account for the proceeds of said duties.

On motion of Mr. Lester,

The bill entitled "An act to authorize the president and directors of the Seneca Road Company to abandon a part of their road," was ordered to be engrossed for a third reading.

On motion of Mr. Porter,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which as amended with his assent, was read in the words following, to wit :

Resolved, That the Corporation of Trinity Church in the city of New-York, make a return to the Senate, under the oath of the appropriate officer of said Corporation, stating therein the whole amount of their real and personal estate ; and also, stating in detail the several lots or parcels of lands owned by them, or from which they draw an annual rent ; also the gross amount of personal estate from which they draw an annual income ; and also stating in detail all the rents, income and profits, annual in their nature, to which the said Corporation is entitled ; and also the amount of their annual expenditures, with a summary of the purposes to which it is applied ; and that said return be made within thirty days after the service of this resolution on the rector or either of the wardens or vestrymen of said church.

Mr. President put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk transmit a copy of said resolution to the rector, or either of the wardens or vestrymen of said church.

Mr. Emmons asked for and obtained leave of absence for Mr. Doyo, for eight days from this day.

On motion of Mr. Folsom,

The Senate proceeded to the further consideration of the resolutions heretofore offered by him, which as amended with his assent, were read in the words following, to wit :

Resolved, That all bills and resolutions shall be arranged on the general orders as follows, to wit : Those which relate to public matters affecting the whole State shall stand first, and shall be arranged chronologically, and 2d. Those which relate to local or private matters shall be arranged chronologically in like manner : and that those which relate to public matters shall be taken up in their order and shall have preference over the others, and that Friday and Saturday of each week, immediately after the order of reports of select committees, be devoted exclusively to the consideration of private bills.

Resolved, That all bills or resolutions before the Senate shall be taken up and acted upon according to the general orders, without deviation therefrom, except, that if any bill or resolutions are not in readiness to

be acted upon in such order, they shall be severally passed over until the general orders are exhausted, after which they shall be again called in the same order.

Debates being had but without taking the question thereon,

Mr. Jones moved that said resolutions be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Eminons	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Young
Mr. Johnson		

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A communication was received from the Hon. Benjamin Enos, and read in the words following, to wit :

To the President of the Senate.

DEAR SIR :

The time having expired for which I was elected to the office of Treasurer, I would respectfully ask for a committee of the Legislature to examine my accounts with the State, in order to a final settlement of the same.

Yours truly,

BENJAMIN ENOS, *Ex. Treas.*

On motion of Mr. Chamberlain,

Ordered, That the usual number of copies of all the documents accompanying the message of the Governor, in relation to the Seneca Indians, be printed.

[See Senate Document No. 57.]

On motion of Mr. Clark,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and

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Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled "An act in relation to county courts of Rensselaer county," which was read the first time, and by unanimous consent was also read a second time, and on motion of Mr. Van Schoonhoven, said bill was ordered to a third reading.

Said bill was then read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned to 11 o'clock to morrow morning.

FRIDAY, 10 O'CLOCK, A. M., FEBRUARY 6, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.

The minutes of yesterday having been read and approved,

Mr. Sanford presented the memorial and reply of Luther Bradish, Peter G. Stuyvesant, Isaac Carrow and others, a committee of Protestant Episcopalians in the city of New-York, to the remonstrance of the rector, church wardens and vestrymen of Trinity church, which was read and referred to the committee on charitable and religious societies.

Mr. Van Schoonhoven presented the petition of inhabitants of Rensselaer and Washington counties, for an act to revive the charter of the Phoenix Bridge Company, which was read and referred to the committee on roads and bridges.

Mr. Scovil presented the petition of inhabitants of the town of Martinsburgh and Greig, in the county of Lewis, for a law to build a bridge across the Black river by a tax on said towns, which was read and referred to the same committee.

Mr. Hard presented the petition of the German Community in Erie county, for the incorporation of the village of Ebenezer, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Van Schoonhoven presented the petition of the mayor, recorder, aldermen and commonalty of the city of Troy, for a law authorizing them to pay to the Comptroller 100,000 dollars, in satisfaction for their liability to pay that amount of the certificates of stock loaned by the State to the Schenectady and Troy Railroad Company, which was read and referred to the committee on finance.

Mr. Wheeler presented two several petitions for the county of Schuy-

ler, from parts of Erie, Cattaraugus and Chautauque counties, which were read and referred to the committee on the division of towns and counties.

Mr. Beekman presented the petition of inhabitants of Ghent, Austerlitz and Chatham, for a new town to be called Oregon, from parts of the above towns, which was read and referred to the same committee.

Mr. Clark presented the petition of 220 officers and soldiers of the 134th regiment and 13th brigade of the militia, for certain alterations and reforms in the militia law, which was read and referred to the committee on the militia.

Mr. Mitchell, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act in relation to Carll-street in the city of Brooklyn," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act for the relief of Cyril Carpenter, Isaac Joslyn and Isaac Barnes, now or late trustees of district number ten in the town of Sweden," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize the president and directors of the Seneca Road Company to abandon a part of their road," which was ordered to a third reading.

Mr. Clark, from the committee on manufactures, to whom was referred the petition of the Albany Hydrant Company, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company, in the city of Albany,' passed April 12, 1844," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the petition of Henry R. Remsen and others, for the incorporation of the Washington Fire Company, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Lester, from the same committee, to whom was referred the petition of the National Fire Insurance Company in the city of New-York, for amendment of their charter, reported adverse to the prayer of the petition, which was laid on the table.

Mr. Lester, from the same committee, to whom was referred the petition of the New-York Equitable Insurance Company, to reduce their capital stock, reported adverse to the prayer of the petition, which was laid on the table.

Mr. Clark, from the committee on manufactures, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Woollen Manufacturing Company of Greene," which was read the first time, and by unani-

mous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Sanford, from the select committee consisting of the Senators attending the Senate from the first Senate District, to whom was referred the memorial of the mayor, recorder, aldermen and commonalty of the city of New-York, for that purpose asked for and obtained leave to report a bill entitled "An act to amend the act passed April 18, 1843, entitled 'An act in relation to the Croton water works in the city of New-York,'" which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Sanford,

Ordered to be engrossed for a third reading.

The report of the clerk in chancery for the 8th circuit, answering the resolution of the Senate of the 29th ultimo, was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report be printed.

(See Senate Document No. 48.)

A like report was received from the clerk of the supreme court at Utica, and referred to the same committee.

Ordered, That the usual number of copies of said report be printed.

(See Senate Document No. 44.)

On motion,

Leave of absence was granted to Mr. Backus for ten days; to Mr. Beers for eight days and to Mr. Burnham for six days, from this day.

Mr. Wright offered the following concurrent resolution which was laid on the table, to wit:

Resolved, (if the Assembly concur,) That a joint committee of the Senate and Assembly, consisting of one member of the Senate and two members of the Assembly, be appointed to examine the late Treasurer's accounts, from the close of the last fiscal year to the termination of his office.

Mr. Clark offered the following resolution,

Resolved, That a select committee of three Senators be appointed to enquire into the management of and expenditures on the northern section of the Champlain canal and the Glen's Falls Feeder; and that said committee have power to send for persons and papers, and that they report to the Senate.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Mitchell	Mr. Talcott
Mr. Emmons	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Putnam	Mr. Wheeler
Mr. Hand	Mr. Scovil	Mr. Wright
Mr. Hard	Mr. Sedgwick	

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Mr. Folsom offered the following resolution which was laid on the table, to wit:

Resolved, That the public interests require a strict adherence to truth on the part of the press in its reports of legislative proceedings, and that to attribute falsely and designedly, in such reports to any member of the Legislature, the utterance of odious and offensive sentiments, should be regarded as a breach of privilege.

On motion of Mr. Wheeler,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the bill from the Assembly entitled "An act to erect the town of Rice in the county of Cattaraugus," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wright, from said committee, reported that they had gone through the bill, and had made an amendment thereto, which with the bill he was directed to report to the Senate, which report was agreed to by the Senate, and the amendments ordered to be engrossed and the bill to a third reading.

Thereupon,

On motion of Mr. Wheeler,

Said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

Mr. Spencer asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend chapter third, of part second, of the Revised Statutes, relating to the proof and recording of conveyances of real estate, and the cancelling of mortgages," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Lester asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the supreme court commissioner residing in the western part of Monroe county," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., FEBRUARY 7, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Fisher.

The minutes of yesterday having been read and approved, Mr. President announced, and thereupon

Ordered, That Mr. Clark, Mr. Hand and Mr. Talcott, be the select committee under the resolution of yesterday, relative to the northern section of the Champlain canal and Glen's Falls feeder.

Mr. Sanford presented five several memorials of Samuel Scott, Senior, George Clark, William Irving, Elijah F. Purdy, Benjamin R. Winthrop and others, Episcoposal inhabitants of New-York, praying a repeal or amendment of the act entitled "An act to alter the name of the corporation of Trinity church in New-York, and for other purposes," passed January 25, 1814, which were severally read and referred to the committee on charitable and religious societies.

Mr. Spencer presented the remonstrance of the Onondaga county Bible Society, against the incorporation of an "American and Foreign Bible Society," which was read and referred to the same committee.

Mr. Chamberlain presented the remonstrance of citizens of Allegany county, against any division of said county or setting off any towns from the same, which was read and referred to the committee on the division of towns and counties.

Mr. Wright presented four several remonstrances from Durham, Greene county, against annexing any portion of said county to the proposed county of Pratt, which were read and referred to the same committee.

Mr. Hand presented the petition of inhabitants of the town of Cherry-Creek, in the county of Chautauque, for the erection of the county of Schuyler, which was read and referred to the same committee.

Mr. Hand presented a like petition of inhabitants of the town of Arkwright, which was read and referred to the same committee.

Mr. Emmons presented petitions of sundry inhabitants of Concord, Erie county, for a new county from parts of Erie, Cattaraugus and Wyoming, which were read and referred to the same committee.

Mr. Mitchell presented the petition of inhabitants of Montgomery county, praying that the death penalty may be abolished by the Legislature, which was read and referred to the committee on the judiciary.

Mr. Talcott presented resolutions of the town meeting of the town of Oswego, for a repeal of the law which gives the village of East Oswego, in the town of Scriba, a portion of the money now raised in Oswego, for roads and bridges in said town, which was read and referred to the committee on roads and bridges.

Mr. Wheeler presented the petition of inhabitants of Cattaraugus county, for a law to establish a ferry across the Allegany river, in the town of Cold Spring, which was read and referred to the committee on commerce and navigation.

Mr. Beekman presented the petition of inhabitants of Greene county, in favor of par redemption by all the banks of this State, in New-York or Albany, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Jones, from the committee on the division of towns and counties, to whom were referred the several petitions for, and remonstrances against the erection of a new county from parts of Delaware, Greene and Schoharie, reported in writing adverse to the prayer of the petitioners concluding with the following resolution,

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 49.]

Mr. Wright, from the committee on the judiciary, to whom was referred the bill entitled "An act in relation to the supreme court commissioner residing in the western part of Monroe county," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and

On motion of Mr. Lester,

Said bill was ordered to be engrossed for a third reading.

A bill was received from the Assembly entitled "An act to erect the town of Rice, in the county of Cattaraugus," with a message, informing that they had concurred in the amendment of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

A copy of a resolution was received from the Assembly and read in the words following, to wit:

Resolved, (if the Senate concur,) That a joint committee of one member of the Senate, and two members of the Assembly, be appointed to examine the accounts of Benjamin Enos, late Treasurer of this State, from the close of the last fiscal year to the time his term of office expired.

Thereupon, on motion of Mr. Wright,

Resolved, That the Senate do concur in said resolution.

Resolved, That the Hon. J. B. Smith be, and he is hereby appointed a member of the joint committee on the part of the Senate, to examine the accounts of the late Treasurer.

Ordered, That the Clerk deliver a copy of said last two resolutions to the Assembly.

A communication was received from Thomas Farrington, and read in the words following, to wit:

TREASURER'S OFFICE, }
Albany, February 6, 1846. }

TO THE HON. ADDISON GARDINER,

Lieut. Governor and President of the Senate:

SIR: I beg leave through you, to communicate to the Legislature, my

acceptance of the office of State Treasurer, and to make my acknowledgments for the confidence manifested in, and honor conferred upon me, by my appointment to that office. I have filed the security required by law, taken the oath of office, and entered upon the discharge of its duties.

I am sir, with much regard,

Your obd't servt,

THOMAS FARRINGTON, *Treasurer.*

The report of the clerk of the supreme court at Geneva, answering the resolution of the Senate of the 29th ult., relative to clerk hire in his office was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 50.]

The report of the Comptroller, in answer to a resolution of the Senate of the 31st ult., in relation to the expense of an extra session of the Senate, &c., was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 53.]

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend the act passed April 18th, 1843, entitled 'An act in relation to the Croton water works in the city of New-York,'" which was ordered to a third reading.

Said bill was then read the third time and laid on the table.

The engrossed bill entitled "An act concerning the district attorney of the county of Orange," was read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, That the honorable S. Lawrence and A. Coe be, and they are hereby appointed members of the joint committee on the part of the Assembly, to examine the accounts of the late Treasurer.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., FEBRUARY 9, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Harrington.

The minutes of Saturday having been read and approved,

Mr. Wright presented the petition of 176 citizens of Erie county, for the erection of a new county to be called Buffalo, which was read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented three several petitions of inhabitants of Conewango, Napoli, Randolph, Ellington and Cherry-Creek, for the new county of Conewango, from parts of Chautauque and Cattaraugus, which were read and referred to the same committee.

Mr. Wheeler presented two several petitions from Perrysburgh and Dayton, for the erection of the new county of Irving, from parts of Erie, Cattaraugus and Chautauque, which were read and referred to the same committee.

Mr. Wheeler presented the remonstrance of citizens of Chautauque county, against any division of said county, which was read and referred to the same committee.

Mr. Wheeler presented two several remonstrances of citizens of Cattaraugus county, against any division of said county, which were read and referred to the same committee.

Mr. Chamberlain presented two several remonstrances from the county of Chautauque, against any division of said county, which were read and referred to the same committee.

Mr. Chamberlain presented the petition of Seth C. Jones and 600 others, citizens of the city of Rochester, for a charter for manufacturing cotton and woolen cloths in said city, which was read and referred to the committee on manufactures.

Mr. Chamberlain presented the petition of inhabitants of Cattaraugus county, for a law to remove the capitol of the State to a more central point west, which was read and referred to the committee on public buildings.

Mr. Chamberlain presented two several petitions of inhabitants of Cattaraugus county, for a law to construct a railroad from Hinsdale to Buffalo, which were read and referred to the committee on railroads.

Mr. Lester presented the petition of inhabitants of Ontario county, in reference to the transportation of freight upon railroads, which was read and referred to the same committee.

Mr. Spencer presented the petition of sundry inhabitants of Oneida county, for the incorporation of the Hudson River Railroad Company, which was read and referred to the same committee.

Mr. Sanford presented the memorial of the Rev. Mr. Folger and others, Episcopal inhabitants of the city of New-York, praying the repeal or amendment of the act entitled "An act to alter the name of the corporation of Trinity church in the city of New-York, and for other

purposes," which was read and referred to the committee on charitable and religious societies.

Mr. Wheeler presented the petition of citizens of Cattaraugus and Chautauque counties, for an act to incorporate the American and Foreign Bible Society, which was read and referred to the same committee.

Mr. Spencer presented the petition of numerous inhabitants of the State, praying for the passage of a law to punish seduction and adultery as felonies, which was read and referred to the committee on the judiciary.

Mr. Spencer presented the petition of Amzi Doolittle, with proofs annexed, praying that his official acts as a justice of the peace be confirmed, which was read and referred to the same committee.

Mr. J. B. Smith presented the petition R. R. Morris, for leave to erect a dam or mound across Palmer Brook, in the town of Westchester, in the county of Westchester, which was read and referred to the committee on commerce and navigation.

Mr. Porter presented the petition of inhabitants of Palmyra, for a University at Rochester, which was read and referred to the committee on literature.

Mr. Talcott presented two several petitions of inhabitants of Oswego, for a law authorizing the Canal Commissioners to rebuild the "Big dam lock" in the Oswego Canal, when the same shall be rebuilt, of the same size with the lock called "Mud lock" on said canal, and the enlarged locks on the Erie Canal, which were read and referred to the committee on canals.

Mr. Wright presented a communication from H. R. Schoolcraft, Esq. the agent employed to take the census of the Indians in this State, which was read and referred to the committee on Indian affairs.

Mr. Wright presented the remonstrance from Durham, Greene county, against the erection of the county of Pratt, which was read and laid on the table.

The report of the Auburn and Rochester Railroad Company relative to the names and residences of the stock holders, in answer to the resolution of the Senate of the 29th ult., was received, read and referred to the committee on railroads.

Ordered, That the usual number of copies of said report be printed.

[*Senate Document No. 64.*]

Mr. Porter, from the committee on finance, to whom was referred the bill entitled "An act to repeal the act entitled 'An act to increase the revenues of the State by extending the market for salt, coal and lead, passed April 19, 1843, and the act to amend the same, passed March 7, 1845,' and for other purposes," reported in writing in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report, bill and amendments respectively, be printed.

[*See Senate Document No. 47.*]

Mr. Hard, from the committee on railroads, to whom was referred the petition of the Cayuga and Susquehannah Railroad Company, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

The report of the assistant-register of the court of chancery, answering the resolution of the Senate of the 29th ult., relative to clerk hire in his office was received, read and referred to the committee on retrenchment.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 54.]

A communication was received from John L. O'Sullivan, Esq., and read in the words following, to wit:

New-York, February 5, 1846.

TO THE HON. ADDISON GARDINER,

Lieut. Governor and President of the Senate:

SIR:

In addressing to you, as the presiding officer of the joint meetings of the Senate and Assembly, my acceptance of the office of Regent of the University, to which I receive the notification of having been appointed by the concurrent nominations of the two Houses of the Legislature on the 2d inst. I beg leave to express to those bodies, through you, my most grateful thanks for the so little merited honor thus conferred; together with my hope, by the most faithful attention to its duties in my power, in some degree to compensate in the future, for the deficiency of past desert.

Very respectfully,

J. L. O'SULLIVAN.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the supreme court commissioner residing in the western part of Monroe county," which was ordered to a third reading.

Mr. Jones asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to militia fines," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Jones,

Committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Lester asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the fees of county clerks,"

which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on retrenchment.

On motion of Mr. J. B. Smith,

Ordered, That the reports of the Comptroller and Attorney-General relative to extra allowances made to the Attorney-General and Adjutant-General, be referred to the committee on the judiciary, with instructions to report under what law the extra allowances therein mentioned were made.

Mr. Chamberlain gave notice that he would at some future time ask leave to bring in a bill to provide for the superintendence and repairs of the canals of this State, and reduce the expense thereof.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to amend an act relating to excise and to licensing retailers of intoxicating liquors," passed May 14, 1845, with the amendments thereto, therewith delivered, which was laid on the table.

A communication was received from Robert Campbell, Jr. Esq., which was read in the words following, to wit:

Bath, February 6, 1846.

TO THE HON. ADDISON GARDINER,

President of the Senate,

SIR :

I have received copies of a resolution of the Senate and Assembly appointing me a Regent of the University of the State of New-York. I desire to convey through you, to the body over whom you preside, my acceptance of the office, and my high appreciation of the honor conferred.

With much respect,

Your obd't serv't,

ROBERT CAMPBELL, Jr.

On motion of Mr. Folsom,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit:

Resolved, That the public interests require a strict adherence to truth on the part of the press in its reports of legislative proceedings, and that to attribute falsely and designedly, in such reports, to any member of the Legislature, the utterance of odious and offensive sentiments, should be regarded as a breach of privilege.

Debates being had thereon but without taking the question,

Mr Chamberlain moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Hard	Mr. Spencer
Mr. Emmons	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Folsom		7

FOR THE NEGATIVE.

Mr. Beekman	Mr. Porter	Mr. Wheeler
Mr. Hand	Mr. Sedgwick	Mr. Williams
Mr. Johnson	Mr. Sanford	Mr. Wright
Mr. Jones	Mr. Talcott	Mr. Young
Mr. Lester		13

Mr. Lester then asked a division of the question on said resolution.

Mr. Mitchell moved to postpone the further consideration of said resolution till the first Monday in June next.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow.

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Hard	Mr. Spencer
Mr. Clark	Mr. Jones	Mr. Talcott
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Folsom	Mr. Sedgwick	Mr. Williams
Mr. Hand	Mr. Sanford	14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Lester	Mr. Van Schoonhoven
Mr. Johnson	Mr. Porter	Mr. Young
		6

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., FEBRUARY 10, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hitchcock,

The minutes of yesterday having been read and approved,

Mr. Jones presented the petition of inhabitants of Otto, for the new county of Irving, from parts of Erie, Cattaraugus and Chautauque counties, which was read and referred to the committee on the division of towns and counties.

Mr. Lester presented the petition of citizens of Erie county, for the erection of the county of Buffalo, which was read and referred to the same committee

Mr. Chamberlain presented the remonstrance of Wm. G. Angell, Ransom Lloyd and others, citizens of Allegany county, against any division of said county, which was read and referred to the same committee.

Mr. Beekman presented the remonstrance of 101 inhabitants of Austerlitz, against the erection of the proposed new town of Oregon, in Columbia county, which was read and referred to the same committee.

Mr. Wright presented the remonstrance of inhabitants of Stuyvesant and Kinderhook, against the erection of a dock opposite the land of E. W. Bayley, in the town of Stuyvesant, which was read and referred to the committee on commerce and navigation.

Mr. Putnam presented the petition of the judges, attorneys, supervisors and other citizens of Genesee county, praying for the passage of a law prohibiting the law partner of a district attorney from acting as counsel for the prisoner, which was read and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of citizens of the State, praying the passage of a law granting a general amnesty to persons confined in State prisons, for offences growing out of the relation of landlord and tenant in this State, which was read and referred to the same committee.

Mr. Chamberlain presented the petition of inhabitants of Jefferson county, asking for an appropriation for the Black River and Genesee Valley canals, which was read and referred to the committee on canals.

Mr. Hard presented two several remonstrances of inhabitants of school district number 10, in the town of Sweden, against the passage of an act for the relief of the trustees of said district, which were read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Beekman presented the petition of inhabitants of Greene county, to compel all banks in this State to redeem their notes at par in New-York or Albany, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Haid presented the remonstrance of a number of clergymen of different denominations against the incorporation of the American and Foreign Bible Society, which was read and laid on the table.

Mr. Beekman presented the remonstrance of inhabitants of Cairo, against the division of the county of Greene, which was read and laid on the table.

Mr. Jones, from the committee on commerce and navigation, to whom was referred the petition of Robert R. Morris, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize Robert R. Morris to erect a dam or mound across Palmer Brook, in the town of Westchester, in the county of Westchester," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Beekman, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of the county of Dutchess, to sell their poor house and farm," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Beekman, from the same committee, to whom was referred the bill from the Assembly entitled "An act in relation to the county of Genesee," reported in favor of the passage thereof, without amendment, and

On motion of Mr. Beekman,

Said bill was ordered to a third reading.

Said bill was then read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Johnson, from the committee on claims, to whom was referred the petition of Charles Dewey, for relief, reported in writing adverse to the prayer of the petitioner, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 52.]

A bill was received from the Assembly for concurrence entitled "An act authorizing the board of supervisors of the county of Allegany, to restore the distinction between county and town poor, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled "An act to amend an act to incorporate the stockholders of the Livingston County High School Association," passed March 10, 1827, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled "An act appointing a commissioner to transcribe certain mortgages for loans in Tioga county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to divide the 16th ward of the city of New-York into two wards," which was read the first time, and by unanimous consent was also read a second time and referred to a select committee to consist of the Senators attending the Senate from the First Senate District.

The reports respectively of the Troy and Greenbush Railroad Association and Saratoga and Schenectady Railroad Company, answering the resolution of the Senate of the 29th ult., relative to the names and residences of their stockholders, were received, read and referred to the committee on railroads.

Mr. Hard moved the printing of the usual number of copies of said reports respectively, which was referred to the committee on public printing.

On motion of Mr. Van Schoonhoven,

Resolved, That the sessions of the Senate on Thursday and Friday of each week hereafter, until otherwise ordered, from 12 o'clock M., until the hour of adjournment, shall be devoted to the consideration of bills upon the general orders relating to private claims.

Mr. Hard offered the following resolution, which was laid on the table, to wit:

Resolved, That the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their road from the Connecticut line to the New-York and Harlem Railroad," be made the special order for Monday next.

Mr. Sanford gave notice that he would at some future time ask leave to bring in a bill to amend section twenty of chapter fifth, title fifth, part first of the Revised Statutes, in relation to the appointment of certain officers therein named.

Mr. Putnam gave notice that he would at some future time ask leave to bring in a bill entitled "An act to provide for the payment of services rendered as district attorney, in certain cases, under an appointment by the court."

Mr. Lester asked for and obtained leave of absence for Mr. Porter, for 8 days from this day.

Mr. Chamberlain asked for and obtained leave of absence for Mr. Scovil, for 10 days from this day.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Hard moved that the bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843," be made the special order for Monday next.

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Mitchell	Mr. Wheeler	
Mr. Chamberlain	Mr. J. B. Smith	Mr. Wright	
Mr. Hard	Mr. Spencer		8

FOR THE NEGATIVE.

Mr. Emmons	Mr. Lester	Mr. Talcott	
Mr. Hand	Mr. Sedgwick	Mr. Williams	
Mr. Johnson	Mr. Sanford	Mr. Young	9

The Senate then proceeded to the further consideration of the amendments of the Assembly to the bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845."

On motion of Mr. Johnson,

The Senate concurred in the first and second amendments respectively of the Assembly to said bill.

The third amendment of the Assembly to said bill was then read in the words following, to wit :

§ 3. It shall be the duty of the several town clerks, within ten days after the vote provided for by this act, and the act hereby amended, shall be taken, to transmit to the clerk of their respective counties, a statement of the number of votes for and against license in the several towns and cities. It shall also be the duty of the several county clerks, within ten days after receiving such returns as aforesaid, to transmit a statement thereof to the Secretary of the State, who shall, on or before the first day of July, cause a statement of the number of votes given for and against license in each of the counties of this State to be published in the State paper.

Thereupon,

On motion of Mr. Clark,

The Senate non concurred in all of the said amendment after the words "Secretary of State."

Mr. Lester then moved that the Senate do non concur in all of said amendment after the word "cities" in the 5th line thereof.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Johnson	Mr. Lester	
Mr. Hard	Mr. Jones	Mr. J. B. Smith	6

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As

FOR THE NEGATIVE.

Mr. Beckman	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Hand	Mr. Spencer	Mr. Young

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Mr. Young then moved to amend said amendment by inserting after the word "clerks" in the 1st line thereof, the following: "Or other officers by whom the proceedings of town meetings and charter elections in cities are usually entered."

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

Mr. President then put the question on concurring in said amendment of the Assembly to said bill as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have concurred in their amendments to said bill with the amendments thereto therewith delivered.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., FEBRUARY 11, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Harrington.

The minutes of yesterday having been read and approved,

Mr. Chamberlain presented the petition of inhabitants of Persia and Dayton, for a new county from parts of Erie, Cattaraugus and Chautauque, which was read and referred to the committee on the division of towns and counties.

Mr. Wright presented the remonstrance of inhabitants of Durham, against erecting the county of Pratt, which was read and laid on the table.

Mr. Sanford presented the petition of the New-York Typographical Society, for a renewal of their charter, which was read and referred to the committee on charitable and religious societies.

Mr. Van Schoonhoven presented the petition of citizens of Albany county, for an act of general amnesty in favor of persons convicted and imprisoned for offences growing out of the relation of landlord and tenant in this State, which was read and referred to the committee on the judiciary.

Mr. Beckman presented the memorial of the mayor, recorder, aldermen and commonalty of the city of Hudson, asking the passage of a

law authorizing the loan of 5000 dollars, which was read and referred to the committee on finance.

Mr. Folsom presented the memorial of Henry R. Schoolcraft, John W. Edmonds and John Rameyn Brodhead, a committee of the New-York Historical Society, calling the attention of the Legislature to the aboriginal history of the State, which was read and referred to the committee on Indian affairs.

Mr. Folsom moved that said memorial be printed, which motion was referred to the committee on public printing.

Mr. Putnam, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act appointing a commissioner to transcribe certain mortgages for loans in Tioga county," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Putnam, from the same committee, to whom was referred the petition of Amzi Doolittle, for that purpose asked for and obtained leave to report a bill entitled "An act to confirm the official acts of Amzi Doolittle, as a justice of the peace," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Putnam, from the same committee, to whom was referred the petition of Henry Ragan, for that purpose asked for and obtained leave to report a bill entitled "An act to confirm the official acts of Henry Ragan, while acting as a justice of the peace," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Putnam, from the same committee, to whom was referred the petition of the judges, attorneys, supervisors and other citizens of Genesee county, for that purpose, asked for and obtained leave to report a bill entitled "An act in relation to district attorneys, and to prevent their law partner from acting as counsel in certain cases," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mitchell, from the committee on roads and bridges, to whom were referred sundry petitions for that purpose, asked for and obtained leave to report a bill entitled "An act to revive and amend the act to incorporate the Phoenix Bridge Company," passed April 17, 1830, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mitchell, from the committee on public expenditures, to whom was referred the petition of citizens of Delaware county, for the passage of an act releasing said county from certain expenses incurred in the maintenance of order and the preservation of the laws; also the report of the Comptroller in relation thereto, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last six mentioned bills respectively, be printed.

On motion of Mr. Mitchell,

Ordered, That the committee on roads and bridges be discharged from the further consideration of the resolutions of the town meeting of the town of Oswego, for a repeal of the law which gives the village of East Oswego, in the town of Scriba, a portion of the money now raised in Oswego, for roads and bridges in said town, and that the same be laid on the table.

Mr. Beekman presented the report of the Hudson and Berkshire Railroad Company, in answer to the resolution of the Senate of the 29th ultimo, relative to the names and residences of stockholders, which was read and referred to the committee on railroads.

Mr. Beekman moved the printing of said report, which was referred to the committee on public printing.

On motion of Mr. Putnam,

The committee on commerce and navigation was discharged from the further consideration of the remonstrance of inhabitants of Stuyvesant and Kinderhook, against the erection of a dock opposite the land of E. W. Bayley, in the town of Stuyvesant, and said remonstrance was referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Putnam pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to provide for the payment of services rendered as district attorney in certain cases, under an appointment by the court," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Beekman presented affidavits in relation to the petition of Westfall May, which were read and laid on the table.

On motion of Mr. Hard,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their road from the Connecticut line to the New-York and Harlem Railroad," be made the special order for Monday next.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Hard

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FOR THE NEGATIVE.

Mr. Beekman

Mr. Emmons

Mr. Johnson

Mr. Chamberlain

Mr. Folsom

Mr. Jones

Mr. Clark

Mr. Hand

Mr. Lester

Mr. Lott
Mr. Mitchell
Mr. Putnam

Mr. Sanford
Mr. J. B. Smith
Mr. Spencer

Mr. Wheeler
Mr. Young

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Mr. Hard then moved that the bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843," be made the special order for Monday next, at 12 o'clock, M.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Hard
Mr. Putnam

Mr. Van Schoonhoven Mr. Wright

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FOR THE NEGATIVE.

Mr. Beekman
Mr. Chamberlain
Mr. Clark
Mr. Emmons
Mr. Folsom
Mr. Hand

Mr. Johnson
Mr. Jones
Mr. Lester
Mr. Lott
Mr. Mitchell
Mr. Sanford

Mr. J. B. Smith
Mr. Spencer
Mr. Wheeler
Mr. Williams
Mr. Young

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Mr. Mitchell asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act passed April 25, 1832, entitled 'An act regulating suits on bills of exchange and promissory notes,' which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Folsom moved that the present and all intervening orders of business be laid on the table, and that the Senate proceed to the consideration of the general orders.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The engrossed bill entitled "An act in relation to the supreme court commissioner residing in the western part of Monroe county," was read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

On motion of Mr. Jones,

The Senate then again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c. and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., FEBRUARY 12, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hitchcock.

The minutes of yesterday having been read and approved,

Mr. Beekman presented the petition of inhabitants of Austerlitz, for the new town of Oregon; also the petition of inhabitants of Ghent, Chatham and Austerlitz, for the same purpose, which were severally read and referred to the committee on the division of towns and counties.

Mr. Sanford presented the petition of Lewis Silberrad and others, citizens and residents of New-York, for the passage of an act to make all personal property, whether owned by non-residents or otherwise, subject to taxation, which was read and referred to the committee on finance.

Mr. Sanford presented the memorial of Abraham Cargill and others, Episcopal inhabitants of New-York, praying the repeal or amendment of the act entitled "An act to alter the name of the Corporation of Trinity church in New-York, and for other purposes," passed January 25, 1814, which was read and referred to the committee on charitable and religious societies.

Mr. Mitchell presented the petition of Peter J. Wagoner, for a law authorizing the appraisal and payment of damages occasioned by the enlargement of the Erie canal, which was read and referred to the committee on claims.

Mr. Barlow presented the petition of inhabitants of Granby, Oswego county, praying for an amendment of the law relative to trustees of school and gospel lands, which was read and referred to the committee on literature.

Mr. Barlow presented the petition of the judges and district attorney of Madison county, asking for an amendment of the law relating to perpetuating testimony in criminal cases, which was read and referred to committee on the judiciary.

Mr. Barlow presented the petition of inhabitants of Lenox, Madison county, praying for a house of refuge for juvenile delinquents to be located at Syracuse, which was read and referred to the committee on State prisons.

Mr. Denniston presented four several petitions from citizens of Orange and Ulster counties, for par redemption of bank bills in New-York or Albany, which were severally read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Denniston presented the petition of the officers of all the banks in Newburgh, for the same purpose, which was read and referred to the same committee of the whole.

Mr. Hand presented the petition of the inhabitants of the towns of Elizabethtown and Moriah, for a tax to build roads in said towns, which was read and referred to the committee on roads and bridges.

Mr. Emmons presented the petition of inhabitants of Concord, Erie county, for the incorporation of the American and Foreign Bible Society, which was read and laid on the table.

Mr. Spencer presented the petition of sundry inhabitants of the county of Oneida, praying that the Black River Canal feeder may be completed and brought into use, which was read and referred to the committee on canals.

Mr. Sanford presented the petition of Claudius C. Becket, an alien, to hold real estate, which was read and referred to the committee on the judiciary.

Mr. Sedgwick presented an affidavit of Alanson Dodge, in relation to the claim of Patrick Cooney, which was read and referred to the committee of the whole, when on the bill to which it relates.

Mr. Folsom presented the memorial of Henry B. Armstrong, Freeborn Garretson and others, against the taxation of the interest of lessors in leasehold estates, which was read and referred to the select committee having that subject in charge, of which Mr. Wright is chairman.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print the reports respectively of the Troy and Greenbush Railroad Association, the Saratoga and Schenectady and the Hudson and Berkshire Railroad Companies, answering the resolution of the Senate of the 29th ult, reported in favor of printing the usual number of copies thereof, respectively.

Thereupon,

On motion of Mr. J. B. Smith,

Ordered, That said report be laid on the table until all the reports are received pursuant to said resolution.

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate, to the amendments of the Assembly to the bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845."

Thereupon,

Ordered, That the Clerk deliver said bill to the Assembly, and inform them that the Senate have amended said bill according to the amendments agreed upon by the two houses.

Mr. Johnson, from the committee on claims, to whom was referred the petition of George J. E. Lasher, for that purpose, reported thereon in writing, and asked for and obtained leave to report a bill entitled "An act for the relief of George J. E. Lasher," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill and report respectively, be printed.

[See Senate Document No. 47.]

Mr. Young, from the committee on literature, to whom was this day referred the petition of inhabitants of Granby, Oswego county, for that

purpose, asked for and obtained leave to report a bill entitled "An act relating to the office of trustee of gospel and school lots in the town of Granby, in the county of Oswego," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition of the Society of True Inspiration, for that purpose, asked for and obtained leave to report a bill entitled "An act to legalize and make valid certain conveyances and trusts for the Community of True Inspiration," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

By unanimous consent, Mr. Clark presented the petition of officers and soldiers of the 7th regiment and 2d brigade of infantry, for certain alterations and reforms in the militia laws of this State, which was read and referred to the committee on the militia.

Mr. Hand, from the committee on finance, to whom was referred the memorial of the mayor, recorder, aldermen and commonalty of the city of Hudson, for a law authorizing a loan of 5000 dollars, asked for and obtained leave to report a bill entitled "An act to authorize the city of Hudson to borrow money," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Hand, from the committee on grievances, to whom was referred the resolution of the board of supervisors of Oswego county, praying that the law for the appointment of a police justice for the village of Oswego, be so amended that the salary of said officer shall not be a county charge, asked for and obtained leave to report a bill entitled "An act in relation to the police justice in the village of Oswego," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

The Senate then pursuant to special order of the day, passing by several bills without prejudice, resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Nathan S. Hollister," and after some time spent thereon, Mr. President resumed the chair, and Mr. Sanford, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Spencer asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the State Lunatic Asylum," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on medical societies and medical colleges.

On motion of Mr. Jones,

The further consideration of the special order was suspended and the

Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair; and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., FEBRUARY 13, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Harrington.

The minutes of yesterday having been read and approved,

Mr. Beekman presented the petition of inhabitants of Lexington, Greene county, for par redemption in New-York or Albany, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Beekman presented the remonstrance of inhabitants of Lexington, Greene county, against the division of that county, which was read and laid on the table.

Mr. Sedgwick presented an affidavit in relation to the claim of Patrick Cooney, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Williams presented the petition of the commissioner of the Canandaigua and Corning Railroad, asking that the Company be permitted to commence operation when a subscription of 800,000 dollars to the capital stock shall have been obtained, which was read and referred to the committee on railroads.

Mr. Williams presented the petition of citizens of Yates county, asking a charter for an University of learning, &c., at Rochester in the county of Monroe, which was read and referred to the committee on literature.

Mr. S. Smith presented the petition of 220 inhabitants of the town of Westchester, in the county of Westchester, for a division of said town; also three several remonstrances from said town against the same, which were severally read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented two several remonstrances from inhabitants of Chautauque county, against any division of that county, which were severally read and referred to the same committee.

Mr. Wheeler presented the remonstrance of inhabitants of Allegany county, against any division of said county, or setting off any of the

towns of said county, which was read and referred to the same committee.

Mr. Burnham presented the remonstrance of inhabitants of Allegany county, against any division of said county, which was read and referred to the same committee.

Mr. Mitchell presented the petition of Asa T. Smith, for a law authorizing the appraisal and payment of damages on the Black River canal, which was read and referred to the committee on claims.

Mr. Johnson presented the affidavit of Orville W. Childs, in relation to the claim of Beebe, Thompson & Co., which was read and referred to the same committee.

Mr. Mitchell presented the petition of John Hoke and 44 others, inhabitants of Herkimer county, for the abolition of the death penalty, which was read and referred to the committee on the judiciary.

Mr. Lester presented the petition of citizens of Ontario county, for a law making the Auburn and Rochester Railroad Company sueable in justices courts, which was read and referred to the committee on railroads.

Mr. Denniston presented the petition of citizens of Bloomingrove, Orange county, for the passage of a law authorizing the board of supervisors to sell the county poor house, and return to the town system, which was read and referred to the committee on poor laws.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the relief of Nathan S. Hollister;" also the bill entitled "An act to authorize the city of Hudson to borrow money," which were severally ordered to a third reading.

On motion of Mr. Van Schoonhoven,

The engrossed bill entitled "An act for the relief of Nathan S. Hollister" was read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print the memorial of Henry R. Schoolcraft, John W. Edmonds and John Romeyn Brodhead, a committee of the New-York Historical Society, relative to the aboriginal history of the State, reported in favor of printing the usual number of copies thereof, which was agreed to by the Senate.

Thereupon,

Ordered, That the usual number of copies of said memorial be printed.

[See Senate Document No. 55.]

Mr. Talcott presented the following resolution, which was ordered to be laid on the table, to wit:

Resolved, That the Senate meet this afternoon at half past three o'clock, and adjourn at a quarter before six; and that such afternoon sessions be continued until "the Texas and Oregon resolutions" now

pending before the Senate shall be finally disposed of, and be devoted exclusively to the consideration of those resolutions.

On motion of Mr. Beekman,

The 26th standing rule of the Senate was suspended, and the vote agreeing with the committee on grievances, upon the report adverse to the prayer of the petition of Westfall May, being reconsidered, said petition with the affidavits since produced were recommitted to the committee on grievances.

Mr. Van Schoonhoven offered the following resolutions which were laid on the table, to wit:

Resolved, That his honor the circuit judge of the third circuit be requested to transmit without delay to the Senate, a full statement of the names of all convicts now confined in the prisons of this State, sentenced by him to imprisonment as violators of the provisions of an act entitled "An act to prevent persons appearing disguised and armed," passed the 28th day of January, 1845, or in consequence of having at any time resisted the sheriff or any of his deputies in the discharge of their official duties in either of the counties of said district, while enforcing or attempting to enforce legal process for the collection of rents, at any time previous or subsequent to the passage of said act. And also, that the said circuit judge report to the Senate the specific crimes and offences for which each person so imprisoned was sentenced, the term of imprisonment so assigned to each convict, together with the facts, circumstances and testimony in each case, in full detail, whether appearing upon confession, trial or otherwise, upon which said convicts were convicted by jury, or sentenced by said judge.

Resolved, That his honor the circuit judge of the first circuit be, and he is hereby requested to transmit to the Senate, without delay, a similar statement showing the names of all convicts sentenced by him to imprisonment, and now in confinement in either of the State prisons of this State, in consequence of having violated the provisions of said act, passed the 28th January, 1845, or of having resisted the sheriff or any of his deputies in any attempt to enforce legal process for the collection of rents, before or subsequent to the passage of said act; and that he report the specific crimes and offences for which each person so imprisoned was sentenced, the term of imprisonment in each case, together with the facts, circumstances and testimony in each case, in full detail.

Resolved, That the Clerk of the Senate transmit copies of the foregoing resolutions to each of the said circuit judges forthwith.

Two engrossed bills with the following titles, to wit: "An act to authorize the city of Hudson to borrow money;" also "An act to authorize the president and directors of the Seneca Road Company to abandon a part of their road," were severally read the third time and laid on the table.

The Senate then again resolved itself into a committee of the whole on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and

Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., FEBRUARY 14, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hitchcock,

The minutes of yesterday having been read and approved,

Mr. Beekman presented the petition of three hundred and nine inhabitants of the village of Valatie, in the town of Kinderhook, in the county of Columbia, for an amendment of the "Act to incorporate the Valatie Fire Company," passed May 2, 1837, increasing the number of firemen in said village, &c., which was read and referred to the committee on the incorporation of cities and villages.

Mr. Wheeler presented the remonstrance of inhabitants of Chautauque county, against any division of said county, which was read and referred to the committee on the division of towns and counties.

Mr. Sanford presented the remonstrance of the Rev. Rector and of the wardens, vestrymen, and many others of the congregation of All Saint's Church, in the city of New-York, against any repeal or alteration of the act of 25th January, 1814, relative to Trinity Church in that city, which was read and referred to the committee on charitable and religious societies.

Mr. Sedgwick, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act authorizing the board of supervisors of the county of Allegany, to restore the distinction between county and town poor, and for other purposes," reported in favor of the passage thereof which was committed to a committee of the whole.

Mr. Hard, from the committee on railroads, to whom was referred the petition of the Auburn and Rochester Railroad Company, and of others, for that purpose, asked for and obtained leave to report a bill entitled "An act for the relief of the Auburn and Rochester Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

By unanimous consent, Mr. Lester presented three several remonstrances of citizens of Phelps, Ontario county, against the application of the Auburn and Rochester Railroad Company, which were read and referred to the committee of the whole, having said last mentioned bill in charge.

Mr. Folsom presented the 27th annual report of the Bank for Saving's in the city of New-York, which was read and laid on the table.

Mr. Lott presented the annual report of the Brooklyn Saving's Bank, which was read and laid on the table.

The annual report of the treasurer of the Sailor's Snug Harbor in the city of New-York, for the year 1845, was received, read and laid on the table.

The reports respectively of the New-York and Erie, the Schenectady and Troy, the New-York and Harlem and the Buffalo and Niagara Falls Railroad Companies, answering a resolution of the Senate of the 29th ultimo, relative to the names and residences of their stockholders, were received, read and referred to the committee on railroads, and a motion to print the same respectively, laid on the table.

The annual report of the Commissioners of the Canal Fund of the tolls, trade and tonnage of the New-York canals, was received, read and laid on the table.

Mr. Denniston then offered the following resolution, which with said report, was referred to the committee on public printing, to wit :

Resolved, That the usual number and 1000 extra copies of said report for the use of the Legislature, and 200 extra copies for the Commissioners of the Canal Fund, be printed.

A copy of a resolution was received from the Assembly, and read in the words following, to wit :

Resolved, That a respectful message be sent to the Senate, requesting that body to transmit to this House all petitions for, and remonstrances against the incorporation of the American and Foreign Bible Society, presented during the present session.

Thereupon,

Ordered, That the Clerk comply with said request.

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the resolutions heretofore offered by him, which as amended with his assent, were read in the words following, to wit :

Resolved, That his honor the circuit judge of the third circuit be requested to transmit without delay to the Senate, a full statement of the names of all convicts now confined in the prisons of this State, sentenced by him to imprisonment, as violators of the provisions of an act entitled "An act to prevent persons appearing disguised and armed," passed the 28th day of January, 1845, or in consequence of having at any time resisted the sheriff, or any of his deputies, in the discharge of their official duties, in either of the counties of said district, while enforcing or attempting to enforce legal process for the collection of rents, at any time previous or subsequent to the passage of said act. And also, that the said circuit judge report to the Senate the specific crimes and offences for which such persons so imprisoned were sentenced, the term of imprisonment to each convict, together with the facts, circumstances and testimony on the merits in each case, in full detail, whether appearing upon confession, trial or otherwise, upon which said convicts were convicted by jury, or sentenced by said judge.

Resolved, That his honor the circuit judge of the first circuit be, and he is hereby requested to transmit to the Senate a similar statement, showing the names of all convicts sentenced by him to imprisonment, and now in confinement in either of the State prisons of this State, in consequence of having violated the provisions of said act, passed 28th January, 1845, or of having resisted the sheriff or any of his deputies in any attempt to enforce legal process for the collection of rents, before or subsequent to the passage of said act; and that he report the specific crimes and offences for which each person so imprisoned was sentenced, the term of imprisonment in each case, together with the facts, circumstances and testimony on the merits in each case, in full detail.

Resolved, That the Clerk of the Senate be directed to transmit the foregoing resolutions to the judges therein named.

Debates being had but without the question thereon, said resolutions were laid on the table.

On motion of Mr. Folsom,

The Senate proceeded to the further consideration of the resolution from the Assembly, which was read in the words following, to wit:

Resolved, (if the Senate concur,) That the Secretary of State be requested to procure one hundred and fifty copies of the census map of this State, at a price not exceeding seventy-five cents each, for the use of the members of the convention of this State.

Thereupon,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver a copy of said resolution of concurrence to the Assembly.

Mr. Johnson offered the following resolution,

Resolved, That the select committee ordered by the Senate on the ninth day of January last, to whom was referred so much of the message of the Governor, as relates to the subject of leasehold estates and the complaints of the tenants in relation thereto, and the remedies proposed, report forthwith by bill such remedies as in their opinion will be for the public interests, or as the exigencies of the case demand.

Debates being had, but without taking the question thereon.

On motion of Mr. Clark,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c. and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

The Assembly examined and returned the bill entitled "An act to amend the act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Van Schoonhoven,

Resolved, That the judiciary committee inquire whether any, and if any, what amendments are necessary, to the act passed at the last session of the Legislature entitled "An act recommending a Conven-

tion of the People of this State," and in case said act required amendment, that they report a bill for that purpose.

Mr. Burnham asked for and obtained leave of absence for Mr. Chamberlain, for four days from this day.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., FEBRUARY 16, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The minutes of Saturday having been read and approved,

Mr. Putnam presented the petition of inhabitants of the town of Warsaw, that the towns of Eagle, Pike and Portage, be annexed to the county of Wyoming, which was read and referred to the committee on the division of towns and counties.

Mr. Wheeler presented three several remonstrances of inhabitants of Chautauque county, against any division of that county, which were read and referred to the same committee.

Mr. Burnham presented the remonstrance of inhabitants of Allegany county, against any division of that county, which was read and referred to the same committee.

Mr. Wheeler presented the remonstrance of inhabitants of Allegany county, against any division of that county, which was read and referred to the same committee.

Mr. Jones presented the petition of citizens of Buffalo, to erect the county of Buffalo, which was read and referred to the same committee.

Mr. Barlow presented a petition from the electors of Brookfield, Madison county, asking for a law to tax leasehold estates, which was read and referred to the select committee having charge of that subject.

Mr. Van Schoonhoven presented the petition of a large number of citizens of the county of Albany, for the passage of a general act of amnesty, for the relief of persons convicted of offences growing out of the relation of landlord and tenant in this State, which was read and referred to the committee on the judiciary.

Mr. Talcott presented the petition of Albert Morse, for the confirmation of his official acts as a justice of the peace of the town of Vienna, in Oneida county, since the first of January, 1846, which was read and referred to the same committee.

Mr. Clark presented the petition of officers and soldiers of the 251st regiment, 112th and 135th regiments, 2d brigade of the militia of the State of New-York, for a reformation in the militia laws, which was read and referred to the committee on the militia.

Mr. Lott presented the petition of the trustees of school district number one, of the town of Flatbush, Kings county, for authority to sell and lease the real estate of the district, which was read and referred to the committee on literature.

Mr. Sedgwick presented the petition and affidavits of the Salina and Central Square Plank Road Company, for an amendment of their charter, which were read and referred to the committee on roads and bridges.

Mr. Sanford presented the memorial and remonstrance of Hon. John B. Scott and others, Episcopalians of the city of New-York, not of the parish of Trinity Church in that city, against any interference by the Legislature with the qualifications of corporators of that church, which were read and referred to the committee on charitable and religious societies.

Mr. Lester presented two several remonstrances of citizens of Phelps and Seneca, Ontario county, against the application of the Auburn and Rochester Railroad Company, which were severally read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Jones, from the committee on the division of towns and counties, to whom were referred the several petitions, remonstrances, &c., relative to the erection of the county of Schuyler, asked for and obtained leave to report a bill entitled "An act to erect the county of Schuyler," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Jones, from the same committee, to whom were referred sundry petitions for, and remonstrances against the erection of the county of Conewango, asked for and obtained leave to report for the consideration of the Senate a bill entitled "An act to erect the county of Conewango," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

Mr. Barlow, from the committee on medical societies and medical colleges, to whom was referred the bill entitled "An act in relation to the State Lunatic Asylum," reported in writing in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[See Senate Document No. 58.]

Mr. Sedgwick, from the committee on public printing, to whom was referred the report of the Commissioners of the Canal Fund on tolls, trade and tonnage of the New-York Canals, with the motion to print the usual number of copies and 1000 extra for the Legislature, and 200 for said Commissioners, reported against said motion, and in favor of printing the usual number and 250 additional copies for the Legisla-

ture, and 300 for the said Commissioners, be printed, which was agreed to by the Senate.

Thereupon,

Ordered, That the usual number and 250 additional copies of said report for the Legislature, and 300 for said Commissioners be printed.

[*See Senate Document No. 59.*]

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to amend an act to incorporate the stockholders of the Livingston County High School Association," passed March 10, 1827, reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Lott, from the select committee consisting of the Senators attending the Senate from the first Senate District, to whom was referred the bill from the Assembly entitled "An act to divide the 16th ward of the city of New-York into two wards," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and

On motion of Mr. Jones,
Said bill was ordered to a third reading.

On motion of Mr. Johnson,

Resolved, That the petition of Peter I. Wagner, heretofore referred to the committee on claims, be now referred to the Canal Commissioners for their report, and that they specify the time and under what law the lands alleged to belong to George Spencer, were appropriated by the State, and whether the same have been appraised, and if so, to whom; and that they give such other information as the said Commissioners may possess.

Ordered, That the Clerk deliver a copy of said resolution with the petition therein mentioned, to the Canal Commissioners.

On motion of Mr. Lott,

Resolved, That the petition of the trustees of school district No. 11, in the town of Otselic, for relief, presented to the Senate at the last session of the Legislature, and the other papers relating to the same subject, be taken from the files and referred to the committee on the judiciary.

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the resolutions heretofore offered by him, which were read in the words following, to wit:

Resolved, That his honor the circuit judge of the third circuit be requested to transmit without delay to the Senate, a full statement of the names of all convicts now confined in the prisons of this State, sentenced by him to imprisonment, as violators of the provisions of an act entitled "An act to prevent persons appearing disguised and armed," passed the 28th day of January, 1845, or in consequence of having at any time resisted the sheriff, or any of his deputies, in the discharge of their official duties, in either of the counties of said district, while en-

forcing or attempting to enforce legal process for the collection of rents, at any time previous or subsequent to the passage of said act. And also, that the said circuit judge report to the Senate the specific crimes and offences for which such persons so imprisoned were sentenced, the term of imprisonment assigned to each convict, together with the facts, circumstances and testimony on the merits in each case, in full detail, whether appearing upon confession, trial or otherwise, upon which said convicts were convicted by jury, or sentenced by said judge.

Resolved, That his honor the circuit judge of the first circuit be, and he is hereby requested to transmit to the Senate without delay a similar statement, showing the names of all convicts sentenced by him to imprisonment, and now in confinement in either of the State prisons of this State, in consequence of having violated the provisions of said act, passed 28th January, 1845, or of having resisted the sheriff or any of his deputies in any attempt to enforce legal process for the collection of rents, before or subsequent to the passage of said act; and that he report the specific crimes and offences for which each person so imprisoned was sentenced, the term of imprisonment in each case, together with the facts, circumstances and testimony on the merits in each case, in full detail.

Resolved, That the Clerk of the Senate be directed to transmit the foregoing resolutions to the judges therein named.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Lott	Mr. Spencer	
Mr. Denniston	Mr. Mitchell	Mr. Talcott	
Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Folsom	Mr. Sedgwick	Mr. Wheeler	
Mr. Johnson	Mr. J. B. Smith	Mr. Young	15

FOR THE NEGATIVE.

Mr. Jones	Mr. Lester	Mr. S. Smith	3
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Mr. Denniston gave notice that he would at some future time ask leave to bring in a bill to make the printing in relation to the Canals, Common Schools and Literature Fund, chargeable to those funds respectively.

On motion of Mr. Lester,

Resolved, That the Comptroller report to the Senate a statement of the sums paid from the treasury, on account of the State Lunatic Asylum at Utica, and the years in which the same were paid.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c. and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled "An act to confirm certain trusts therein specified," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A message was received from the Assembly, informing that they had passed the bill entitled "An act for the relief of Nathan S. Hollister," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion,

Leave of absence was granted to Mr. Williams for one week, and to Mr. Beekman for eight days, from this day.

Mr. Sanford asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend section twenty of title fifth, chapter fifth, part first of the Revised Statutes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to amend an act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845;" also the bill entitled "An act for the relief of Nathan S. Hollister."

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., FEBRUARY 17, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The minutes of yesterday having been read and approved,

Mr. Wheeler presented the petition of citizens of Dayton, Cattaraugus county, for the erection of the county of Schuyler, which was read and referred to the committee of the whole, having the bill in charge to which it relates.

Mr. Putnam presented the petition of inhabitants of Java, in the county of Wyoming, for annexing the towns of Portage, Pike and Eagle, in the county of Allegany, to said county of Wyoming, which was read and referred to the committee on the division of towns and counties.

Mr. Lester presented two several remonstrances of citizens of Phelps, Ontario county, against the application of the Auburn and Rochester Railroad Company, which were read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of judges and district attorney of Madison county, asking for an amendment of the law relating to perpetuating testimony in criminal cases, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Lott, from the same committee, to whom was referred the petition of Albert Morse, for a law to confirm his official acts as a justice of the peace, asked for and obtained leave to report a bill entitled "An act to confirm the official acts of Albert Morse, as a justice of the peace," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Talcott,

The said bill was ordered engrossed for a third reading.

On motion of Mr. Lott,

Ordered, That the committee on the judiciary be discharged from the further consideration of the resolution of the Senate of the 14th inst., instructing that committee to enquire if any amendments, &c., are necessary to the act recommending a convention of the people, and that said subject be referred to the committee on privileges and elections.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church, for an act of incorporation, asked for and obtained leave to report a bill entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the petition of the Salina and Central Square Plank Road Company, for an amendment of their charter, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' passed April 12, 1844," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Hand, from the committee on grievances, to whom was committed the petition of Westfall May, an alien, that his acts in holding and selling real estate be confirmed, asked for and obtained leave to report a bill entitled "An act for the relief of Westfall May and others," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. S. Smith, from the committee on the division of towns and coun-

ties, to whom were referred sundry petitions, for that purpose, asked for and obtained leave to report a bill entitled "An act to divide the town of Westchester, in the county of Westchester," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Putnam, from the committee on commerce and navigation, to whom was referred the petition of inhabitants of Cattaraugus county, for that purpose, asked for and obtained leave to report a bill entitled "An act granting to Horace D. Swan, the privilege of establishing and maintaining a ferry across the Allegany River," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last five mentioned bills respectively, be printed.

The report of the Albany City Bank of unclaimed deposits, &c. was received, read and laid on the table.

The reports respectively of the Buffalo and Black-Rock and of the Lewiston Railroad Companies, answering the resolution of the Senate of the 29th ult., relative to the names and residences of their stockholders, were received, read and referred to the committee on railroads, and the question of printing said reports was laid on the table.

The report of the governors of the New-York Hospital, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 62.]

Mr. Hard offered the following resolutions, which were laid on the table, to wit:

WHEREAS, It is represented in the report of the joint committee of the Senate and Assembly, appointed to examine the accounts of the Treasurer and the Canal and Banking departments for the year 1845, that two superintendents of canal repairs upon the Genesee Valley Canal have been engaged for a series of years in a system of frauds upon the Treasury, under circumstances that leave but little doubt of the inefficiency or culpable negligence of the Commissioner having charge of that canal.

Therefore,

Resolved, That it is equally due to the Commissioner whose honor and fidelity are impeached, and to the State whose interest is concerned, that a full investigation be made of all the circumstances which have led to these charges.

Resolved, That the select committee of the Senate, appointed to examine and inquire into certain alleged abuses on the northern section of the Champlain Canal, be instructed to investigate these charges, and that they have power to send for persons and papers.

Mr. Clark presented the communication of John McDonald, Esq., in relation to county expenses, which was read, and on motion of Mr. Clark, referred to Mr. Barlow, to examine and report thereon to the Senate.

Mr. Lott asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend the act to punish the procurement of abortions, and for other purposes," passed May 13, 1845, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act for the relief of the minor heirs of James Thompson, deceased;" also "An act to confirm the official acts of Hiram E. Conger, a justice of the peace;" also "An act concerning the office of district attorney of the county of Allegany," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to prohibit shooting on the ponds in the village of Richburgh, county of Allegany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled "An act to authorize the supervisors of the county of Lewis, to levy a tax to enlarge and repair the poor house of said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

The report of the Comptroller, in answer to the resolution of the Senate of the 16th inst., relative to payments from the treasury on account of the State Lunatic Asylum at Utica, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 61.*]

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to confirm the official acts of Albert Morse, a justice of the peace," which was ordered to a third reading.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., FEBRUARY 18, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The minutes of yesterday having been read and approved,

Mr. Wheeler presented the remonstrance of citizens of Cattaraugus county, against the passage of an act to perpetuate evidence of the death of Nicolaas Van Staphorst and others, which was read and referred to the committee of the whole, having said bill in charge.

Mr. Chamberlain presented proceedings and remonstrances of inhabitants of Chautauque county, against any division of said county, which were read and referred to the committee of the whole, having in charge the bill to erect the county of Conewango.

Mr. S. Smith presented the proceedings of a public meeting in Chautauque county, against any division of that county, which were read and referred to the committee of the whole, having in charge the bill to erect the county of Schuyler.

Mr. Putnam presented the petition of inhabitants of the county of Wyoming, for annexing the towns of Portage, Pike and Eagle, of the county of Allegany, to the county of Wyoming, which was read and referred to the committee on the division of towns and counties.

Mr. Spencer presented the petition of numerous citizens of the county of Herkimer, for the completion of the Black River Canal, which was read and referred to the committee on canals.

Mr. Lester presented the remonstrance of citizens of Phelps, Ontario county, against the application of the Auburn and Rochester Railroad Company, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Van Schoonhoven presented the petition of Stephen Warren, Geo. R. Davis and a large number of others, citizens of Troy, that the Canal Commissioners be empowered to repair and improve the canal locks at the eastern termination of the Erie Canal, opposite the city of Troy, which was read and referred to the committee on canals.

Mr. Scovil presented the petition of John Whittlesey, for compensation for preserving structures on the Black River canal, which was read and referred to the committee on claims.

Mr. Beers presented the petition of Elias Frazer and others, inhabitants of Tompkins county, for a revision of the common school laws, which was read and referred to the committee on literature.

Mr. Jones presented the memorial and remonstrance of Wm. Bard, Clement C. Moore, James F. DePeyster. John C. Clarkson, James I. Jones, and other Episcopalians residing in New-York, not of the parish of Trinity Church, against any repeal or modification of the act of 25th January, 1814, relative to that church, which was read and referred to the committee on charitable and religious societies.

Mr. S. Smith, from the committee on the division of towns and counties, to whom were referred sundry petitions, &c., relative there.

to, asked for and obtained leave to report a bill entitled "An act to annex the towns of Eagle, Pike and Portage, to the county of Wyoming," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Johnson, from the committee on claims, to whom were referred the petitions of Jannot C. Shippy and Woodman Kimball, for relief, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act for the relief of Jannot C. Shippy," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill and report respectively, be printed.

[*See Senate Document No. 60.*]

Mr. Sedgwick, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of the county of Lewis, to levy a tax to enlarge and repair the poor house of said county," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Denniston pursuant to notice asked for and obtained leave to bring in a bill entitled "An act in relation to the public printing," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public printing.

On motion of Mr. Hard,

The Senate proceeded to the further consideration of the resolutions heretofore offered by him, which as amended with his assent, were read in the words following, to wit:

WHEREAS, It is represented in the report of the joint committee of the Senate and Assembly, appointed to examine the accounts of the Treasurer and the Canal and Banking departments, for the year 1845, that two superintendents of canal repairs upon the Genesee Valley Canal have been engaged for a series of years in a system of frauds upon the Treasury, under circumstances involving the official acts of the Commissioner having charge of that canal.

Therefore,

Resolved, That it is equally due to the Commissioner, whose honor and fidelity are implicated, and to the State whose interests are concerned, that a full investigation should be made of all the circumstances which have led to these charges.

Resolved, That the select committee of the Senate appointed to examine and inquire into certain alleged abuses on the northern section of the Champlain Canal, be instructed to investigate these charges, and also the conduct of the Commissioner involved in the said charges, and that they have power to send for persons and papers.

Mr. Lester moved to strike out said preamble and all after the words "resolved," and to substitute the following instead thereof, to wit:

Resolved, That the select committee appointed to examine and en-

quire into certain alleged abuses on the northern section of the Champlain Canal, be instructed to investigate the frauds alleged to have been committed by superintendents upon the Genesee Valley Canal, so far as they involve the official conduct of any public officer, and that the said committee have power to send for persons and papers.

A division was asked for.

Mr. President put the question on striking out, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Hand	Mr. Sedgwick	
Mr. Denniston	Mr. Johnson	Mr. Talcott	
Mr. Deyo	Mr. Lester	Mr. Wheeler	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. S. Smith	
Mr. Barlow	Mr. Lott	Mr. Spencer	
Mr. Burnham	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Clark	Mr. Scovil	Mr. Young	
Mr. Hard	Mr. J. B. Smith		14

Mr. President put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

Mr. Denniston offered the following resolution,

Resolved, That the State printer report to the Legislature the whole amount of fees charged, and the amount received by him for the publication of all legal notices and laws which are required by law to be published in the State paper during the year preceding; pursuant to the requirement of the 7th section of the act to provide for the public printing, passed January 21st, 1843.

Debates being had, but without taking the question thereon,

On motion of Mr. J. B. Smith,

The same was laid on the table.

The annual report of the State printer was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 68.]

Mr. Lester gave notice that he would at some future time ask leave to introduce a bill in relation to the election of delegates to the convention of the people of this State.

Mr. Sedgwick asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to prevent frauds in inspection in the county of Erie," which was read the first time, and by unanimous

consent was also read a second time, and referred to the committee on manufactures.

The engrossed bill entitled "An act to confirm the official acts of Albert Morse, a justice of the peace," was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The bill from the Assembly entitled "An act to divide the sixteenth ward of the city of New-York into two wards," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof as follow, to wit:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Young

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Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to authorize the president and directors of the Seneca Road Company to abandon a part of their road," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Young

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

Mr. Clark asked for and obtained leave of absence for Mr Wright, for ten days from this day.

Mr. Lott asked for and obtained leave of absence for Mr. Sanford and Mr. Mitchell, respectively, for one week from this day.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to authorize the city of Hudson to borrow money,"

and it was passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Denniston	Mr. Scovil	Mr. Young
Mr. Deyo	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Johnson	Mr. Lester	
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The engrossed bill entitled "An act to amend the act passed April 18, 1843, entitled 'An act in relation to the Croton water works in the city of New-York,'" was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	M. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lester	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Young
Mr. Folsom		

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Ordered, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence in the same respectively.

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., FEBRUARY 19, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The minutes of yesterday having been read and approved,

Mr. Clark presented the petition of Clark Hyatt and others, for the appointment of a commissioner to transcribe certain records of Loan office mortgages in Tioga county, which was read and referred to the committee on the judiciary.

Mr. Lott presented the petition of D. B. Carey, counsellor, &c., for a law authorizing the commencement of actions in ejectment in the same manner as personal actions, which was read and referred to the same committee.

Mr. Chamberlain presented the petition of 33 chiefs of the Seneca Nation of Indians, praying for certain amendments to the law passed May 8, 1845, which was read and referred to the committee on Indian affairs.

Mr. Hard presented the remonstrance of 100 inhabitants of Gerry, Chautauque county, against any division of said county, which was read and referred to the committee of the whole, when upon the bill to erect the county of Conewango.

Mr. Clark presented the petition of officers and soldiers of the 13th brigade of the militia, for reform in the militia law, which was read and referred to the committee on the militia.

Mr. Putnam presented the petition of inhabitants of Onondaga county, that the testimony before the grand jury of Cayuga county, relating to the death of the convict Plumb, be reported to the Senate, &c., which was read and laid on the table.

Mr. Jones presented the memorial and remonstrance of Murray Hoffman and other Episcopalians of the city of New-York, not of the parish of Trinity Church in that city, against any repeal or modification of the act of 25th January, 1814, relative to that church, which was read and referred to the committee on charitable and religious societies.

Mr. Hand presented the petition of sundry citizens of Auburn, including some of the present and former officers of the prison, asking for the erection of an armory, which was read and referred to the committee on State prisons.

Mr. Hand presented the petition of Charles Hatch and Joel F. Whitney, for a grant of a ferry across Lake Champlain, which was read and referred to the committee on commerce and navigation.

Mr. Lott, from the committee on the judiciary, to which the report of the Comptroller, answering a resolution of the Senate, relative to moneys paid to the Attorney-General and Adjutant-General, and the report of the Attorney-General, in answer to a resolution of the Senate of the 29th ultimo, were referred with instructions to report under what

law the extra allowance to the Attorney-General mentioned in said report was made, reported thereon in writing, which was read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 63.*]

Mr. Lott, from the same committee, to whom was referred the petition of John Cramer, for a law to permit the chancellor to order the sale of real estate of lunatics in certain cases, reported adverse to the prayer of the petitioner, which was laid on the table.

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act to amend chapter third of part second of the Revised Statutes, relating to the proof and recording of conveyances of real estate and the cancelling of mortgages, reported against the passage thereof, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act to provide for the payment of services rendered as district attorney in certain cases, under an appointment by the court," reported in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bills respectively, be printed.

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act to amend the act to punish the procurement of abortions, and for other purposes," passed May 13, 1845, reported in favor of the passage thereof, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act concerning the office of district attorney of the county of Allegany," reported in favor of the passage thereof, with an amendment, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of Hiram E. Conger, as justice of the peace," reported against the passage thereof, which was committed to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the committee on the judiciary be discharged from the further consideration of the petition of Claudius C. Becket, an alien, to hold real estate, and that the same be referred to the committee on grievances.

Ordered, That the same committee be discharged from the further consideration of the bill entitled "An act in relation to the geological map of the State;" also the resolution of the Senate of the 30th ult., relative to the copyright of the Natural History of the State, and that said bill and resolution be referred to the committee on finance.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act to amend an act entitled 'An act recom-

mending a convention of the people of this State," passed May 13, 1845, reported said bill for the consideration of the Senate, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Wheeler, from the majority of the committee on claims, to whom were referred the petition and papers relative to the claim of Isaac Thompson and others, for relief, asked for and obtained leave to report a bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Johnson, from the minority of the same committee, made a written report adverse to the prayer of said petitioners, which was read and referred to the same committee of the whole.

Ordered, That the usual number of copies of said bill and report respectively, be printed.

[See Senate Document No. 66.]

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to prohibit shooting on the ponds in the village of Richburgh, county of Allegany," reported in favor of the passage thereof, which was committed to a committee of the whole.

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act appointing a commissioner to transcribe certain mortgages for loans in Tioga county," and that the same be recommitted to the committee on the judiciary.

Mr. Putnam asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend the act entitled 'An act relation to documentary evidence,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Hand asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Johnson,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which as amended with his assent, was read in the words following, to wit:

Resolved, That the select committee ordered by the Senate on the 9th day of January last, to whom was referred so much of the message of the Governor as relates to the subject of leasehold estates, the complaints of the tenants in relation thereto, and the remedies proposed,

report within ten days by bill such remedies as in their opinion will be for the public interests, or as the exigences of the case demand.

Debates being had, but without taking the question on said resolution.

Mr. Hard moved that the same be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam	
Mr. Chamberlain	Mr. Hard	Mr. Scovil	
Mr. Clark	Mr. Lott		8

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	Mr. Van Schoonhoven	
Mr. Denniston	Mr. Porter	Mr. Wheeler	
Mr. Johnson	Mr. J. B. Smith	Mr. Young	9

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Johnson	Mr. J. B. Smith	
Mr. Denniston	Mr. Lester	Mr. Wheeler	
Mr. Deyo	Mr. Porter	Mr. Young	
Mr. Folsom			10

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Scovil	
Mr. Barlow	Mr. Jones	Mr. S. Smith	
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven	
Mr. Clark	Mr. Putnam		11

Mr. Putnam asked for and obtained leave of absence for Mr. Spencer, for four days from this day.

On motion of Mr. Clark,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Putnam presented the following resolution, which was laid on the table, to wit:

Resolved, That the district attorney in and for the county of Cayuga, or the person acting as such, as to the indictments recently found by the grand jury of that county, on account of the death of the convict Plumb, forthwith transmit to the Senate a true copy of all the testimony taken before the said jury in such case.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend the act to punish procurement of abortion, and for other purposes, passed May 13th, 1845," which was ordered to a third reading.

Thereupon,

The said bill was then read the third time and laid on the table.

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., FEBRUARY 20, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The minutes of yesterday having been read and approved,

Mr. Denniston presented the petition of eight hundred citizens of the county of Erie, for a division of the same, and for the erection of the county of Buffalo, which was read and referred to the committee on the division of towns and counties.

Mr. S. Smith presented two several remonstrances from inhabitants of the county of Chautauque, against any division of that county, which were read and referred to the committee of the whole, having in charge the bill to erect the county of Conewango.

Mr. S. Smith presented four several remonstrances of many inhabitants of the town of Westchester, against the division of said town, which were read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Burnham presented the petition of 240 tax payers of Chenango county, for the passage of the bill now before the Senate, reducing the salaries of certain State officers, which was read and referred to the committee on retrenchment.

Mr. Jones presented the memorial and remonstrances of the church of the Nativity in the city of New-York, against the repeal or modification of the act of 25th January, 1814, relative to Trinity Church in that city, which was read and referred to the committee on charitable and religious societies.

Mr. Chamberlain presented the petition of George H. Sweet, praying for a law to equalize taxation, which was read and referred to the committee on finance.

Mr. Chamberlain presented the remonstrance of inhabitants of Allegany county, against the abolition of the office of superintendent of common schools, which was read and referred to the committee on literature.

Mr. Putnam presented the petition of inhabitants of the town of Cuba, for annexing the towns of Eagle, Pike and Portage, to the county of Wyoming, which was read and referred to the committee of the whole, having in charge the bill for that purpose.

Mr. Van Schoonhoven presented four several petitions of inhabitants of Albany county, for an act of amnesty in favor of convicts imprisoned in consequence of the difficulties between landlord and tenant in this State, which were severally read and referred to the committee on the judiciary.

Mr. Talcott presented the petition of inhabitants of West-Monroe, Oswego county, for a change of the law requiring the board of supervisors of that county to meet twice a year, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Talcott presented the remonstrance of citizens of Oswego, against any change in the payment of the salary of the police justice of the village of Oswego, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Van Schoonhoven presented the petition of Elijah G. Tift, and a large number of other citizens of Rensselaer county, praying relief as to inequalities and oppressions growing out of the relation of landlord and tenant in this State, which was read and referred to the select committee having in charge that subject.

Mr. Hard presented six several petitions from citizens of Monroe, Erie and Niagara counties, for an act of incorporation of the Niagara-Falls Ferry Association, which were severally read and referred to the committee on commerce and navigation.

Mr. Young presented the petition of five thousand and nineteen ladies and gentlemen of New-York, for a law to suppress vice, which was read and referred to the committee on the judiciary.

Mr. Putnam, from the committee on the judiciary, to whom was referred the petition of one hundred and thirty-two inhabitants of Madison county, for an amendment of the law relating to the Seventh Day Baptists, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Barlow, from the committee on manufactures, to whom were referred two several bills with the following titles, to wit: "An act to prevent frauds in inspections in the county of Erie;" also "An act to amend section twenty, of title fifth, chapter five, part first of the Revised Sta-

tutes, in relation to the appointment of inspectors of hops, fish and oil," reported in favor of the passage of said several bills, with amendments thereto respectively, which were severally committed to a committee of the whole.

Mr. Talcott, from the committee on public printing, to whom was referred the bill entitled "An act in relation to the public printing," reported in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said last three mentioned bills respectively, be printed.

The reports of the Brooklyn and Jamaica, the Tonawanda, the Albany and West-Stockbridge, the Attica and Buffalo, the Mohawk and Hudson, and the Utica and Syracuse Railroad Companies, answering the resolution of the Senate, relative to the names and residences of their stockholders, were received, read and referred to the committee on railroads, and the question of printing said reports respectively, was laid on the table.

On motion of Mr. Putnam,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That the district attorney in and for the county of Cayuga, or the person acting as such, as to the indictments recently found by the grand jury of that county, on account of the death of the convict Plumb, forthwith transmit to the Senate a true copy of all the testimony taken before the said jury in such case.

Debates being had thereon, but without taking the question.

Mr. Denniston moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Deyo	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Young
		9

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Putnam
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Folsom		
		13

Mr. President then put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow.

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Young
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Johnson	Mr. S. Smith
Mr. Deyo	Mr. Porter	

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On motion of Mr. Denniston,

The Senate then again resolved itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to authorize the city of Hudson to borrow money," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled "An act to confirm the official acts of Isaac Jones, a justice of the peace," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act in relation to duties on goods sold at public auction and to the bonds of auctioneers," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act in relation to the town office of town superintendent of common schools," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled "An act granting the consent of the State of New-York, to the purchase by the United State of certain lands for defensive works, and ceding jurisdiction over the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

A bill was received from the Assembly for concurrence entitled "An act to change the corporate name of the Mutual Insurance Company

of the city of New-York, and to reduce its capital," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to authorize the city of Hudson to borrow money."

Mr. Folsom offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That on and after Monday the 23d instant, the Senate will meet at half past three, P. M., except on Saturdays, for the purpose of disposing of the concurrent resolutions relating to Texas, Oregon, &c., and that said resolutions be made a special order for each day at that hour until disposed of.

On motion of Mr. Putnam,

Ordered, That said resolution do lie on the table.

Mr. Sedgwick offered the following concurrent resolution, which was laid on the table, to wit :

Resolved, (if the Assembly concur,) That the Governor and Secretary of State, be hereby instructed to present on behalf of the State of New-York, a copy of the Natural History of the State to George Washington Lafayette, son and representative of the late General Lafayette, a general officer of the American Revolutionary army ; that this resolution be signed by the President of the Senate and Speaker of the Assembly, and transmitted with the work.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., FEBRUARY 21, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The minutes of yesterday having been read and approved,

Mr. Denniston, in behalf of Mr. Talcott, presented the remonstrance of inhabitants of Watertown, Jefferson county, against the passage of a law to compel said town to pay more than one half of the expense of bridges, between that town and the town of Pamelia, which was read and referred to the committee on roads and bridges.

Mr. Jones presented the memorial and remonstrance of the vestry and members of the church of the Evangelists in the city of New-York, against the repeal or modification of the act of 25th January, 1814, relative to Trinity Church in that city, which was read and referred to the committee on charitable and religious societies.

Mr. S. Smith presented the petition of Peter Lorillard, Jr., James D. Wolf, W. A. Spencer and others, freeholders and inhabitants of the town of Westchester, for a division of said town, which was read and

referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Johnson presented the petition of citizens of Albany, against capital punishment; also the memorial of certain citizens of the city of Albany, in relation to the punishment of convicts by death, which were severally read, and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of Elisha Alvord, A. Whipple, G. E. Van Dercott, and a large number of other citizens of Rensselaer county, praying the passage of a law to provide an annuity or donation in gross, for the benefit and relief of Leonard H. Wager and Francis Smith, wounded and disabled by the accidental discharge of cannon, while in the performance of military duty required by law, which was read and referred to the committee on the militia.

Mr. Beers presented the remonstrance of citizens of Tompkins county, against the passage of a law requiring the banks to pay specie for their bills at two places at the same time, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act in relation to the office of town superintendent of common schools," reported in favor of the passage thereof, which was committed to a committee of the whole.

A communication was received and read in the words following to wit:

TO THE HON. ADDISON GARDINER,

President of the Senate,

DEAR SIR:

Several of the independent uniform companies of this city have it in contemplation to celebrate the approaching anniversary of the birth-day of Washington, on Monday the 23d inst., by an address and other public ceremonies. To this end they have solicited from the trustees the use of the hall of the Capitol, and obtained their consent to such use, conditioned on the approval of the Hon. Senate and Assembly. Permit us, through you, to solicit the assent of the Hon. Senate to such arrangement, and believe us to remain,

Respectfully, your ob't servants,

Capt. C. TRIGER,

Lieut. A. VAN OLINDA,

" CORNWELL,

Committee of Arrangements.

Albany, Feb. 20th, 1846.

Thereupon,

On motion of Mr. Clark,

Resolved, That when the Senate adjourn this day, it adjourn until Tuesday morning, at 10 o'clock, A. M.; and that the Senate consent

to the military of the city of Albany, having the use of the hall in the capitol on Monday next.

The report of the Utica and Schenectady Railroad Company, under the resolution of the Senate of the 29th January, 1846, relative to the names and residences of their stockholders, was received, read, and referred to the committee on railroads, and the question of printing said report was laid on the table.

Mr. Lester presented the following preamble and resolution.

WHEREAS, The language used and the sentiments expressed by Senators in debate in the Senate, have been frequently and intentionally misrepresented in the reports of such debates published in the Albany Argus.

Therefore,

Resolved, That the privileges of reporters in this house should not hereafter be extended to the reporter for that paper.

Mr. Clark moved to amend by inserting in said preamble after the word "Albany" the words "Atlas and Albany," to add the letter "s" to the word "reporter," and in the resolution to substitute the words "those" for "that" in the last line thereof.

Debates being had but without taking the question thereon, Mr. Lester withdrew said resolution.

The report of the Cayuga and Susquehannah Railroad Company, answering the resolution of the Senate of the 29th ult., relative to the names and residences of their stockholders, was received, read, and referred to the committee on railroads, and the question of printing said report was laid on the table.

A bill was received from the Assembly for concurrence entitled "An act for the relief of John Moore," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act to amend the act entitled 'An act to amend the several acts relative to the inspection of beef and pork, and the appointment of inspectors in the city of New-York,' passed May 6, 1844," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence entitled "An act to divide the town of Sparta, and to erect the towns of Sparta, West-Sparta and North Dansville, in the county of Livingston," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

On motion of Mr. Scovil,

Resolved, That the Commissioners of the Canal Fund report to the Senate, the whole amount of tolls paid to them in each year since May, 1844, by the different railroad companies mentioned in the act to amend the act incorporating the Utica and Schenectady Railroad Company, passed May 7, 1844, specifying the amount of tolls collected from each company; also the tonnage passing over each of said roads by virtue of

said act; also what regulations have been made by the said Commissioners under the 3d, 4th and 5th sections of said act, in relation to the tonnage or freight, and the collection of tolls on said roads, and also what disposition has been made of said tolls.

Ordered, That the Clerk deliver a copy of said resolution to the Commissioners of the Canal Fund.

Mr. Chamberlain pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to reduce the expense of canal superintendence and repairs," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

On motion of Mr. Putnam,

The petition from inhabitants of Onondaga county, presented by him and laid on the table on the 19th inst., relative to the testimony in the case of the deceased convict Plumb, was referred to the committee on State prisons.

Mr. Denniston asked for and obtained leave of absence for Mr. Talcott, for one week from this day.

Then the Senate adjourned to 10 o'clock on Tuesday morning.

TUESDAY, 10 O'CLOCK, A. M., FEBRUARY 24, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Knapp,

The minutes of Saturday having been read and approved,

Mr. Spencer presented the petition of sundry inhabitants of the village of Oswego, praying for the abolition of the office of police justice of said village, which was read and referred to the committee on the judiciary.

Mr. Spencer presented the petition of sundry inhabitants of Madison county, for the passage of a law referring the location of the capitol to the people, which was read and referred to the committee on public buildings.

Mr. Jones presented the memorial and remonstrances of the members of the corporation of Trinity Church in the city of New-York, against the repeal or modification of the act of 25th January, 1814, relative to that church, which was read and referred to the committee on charitable and religious societies.

Mr. Lott presented the like memorial and remonstrance of Thomas N. Stanford, Anthony J. Bleecker and others, members of the parish of said church, which was read and referred to the same committee.

Mr. Lott presented the like memorial and remonstrance of John R. Livingston, Jun., and one hundred and twelve other Episcopalians of

the city of New-York, not of said parish, which was read and referred to the same committee.

Mr. Lester presented the remonstrance of citizens of Phelps, Ontario county, against the application of the Auburn and Rochester Railroad Company, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Johnson presented the petition of all the supervisors of Delaware county, for an act increasing the fees of collectors of taxes, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Emmons presented the remonstrance of inhabitants of Pomfret, against any division of Chautauque county, which was read and referred to the committee of the whole, having in charge the bill to erect the county of Conewango.

Mr. Chamberlain presented two several petitions from citizens of Cattaraugus county, against any division of said county, which were read and referred to the same committee of the whole.

Mr. Wheeler presented two several petitions of inhabitants of Chautauque county, for the erection of the county of Conewango, which were read and referred to the same committee of the whole.

Mr. Wheeler presented two several petitions of inhabitants of Allegany county, for a law authorizing the supervisors of that county to raise money to build a jail, which were severally read and referred to the committee on grievances.

Mr. Mitchell presented the petition of the commissioners of highways of the town of Canajoharie, accompanied by a resolution passed at the town meeting, for a law to authorize the supervisor of said town to raise seven hundred dollars, in addition to the sum now authorized by law, for roads and bridges, which were read and referred to the committee on roads and bridges.

Mr. Porter presented the petition of citizens of Ontario county, for a house of reformation at Syracuse, which was read and referred to the committee on State prisons.

Mr. Backus presented two several petitions of citizens of Erie county, for the new county of Buffalo, which were severally read and referred to the committee on the division of towns and counties.

Mr. Barlow presented the copy account of the county clerk of Madison county, as audited and allowed by the board of supervisors, which was read and referred to the committee on retrenchment.

Mr. Chamberlain presented the remonstrance of inhabitants of Allegany county, against any division of said county, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Clark presented petitions of several officers and soldiers of the 151st and 69th regiments, and 25th brigade, for reform in the militia laws, which were severally read and referred to the committee on the militia.

Mr. Hand presented the memorial of Major D. S. Holcomb, Col. M. S. Morehouse and Col. Jona. Tarbell, as a committee of a military convention in the 40th brigade of the militia of the State of New-York,

in behalf of an efficient militia, and moved that the same be printed, which memorial was referred to the committee on the militia, and the motion to print to the committee on public printing.

Mr. Johnson presented four several remonstrances of inhabitants of the town of Chatham, Columbia county, against the new town of Oregon, which were severally read and referred to the committee on the division of towns and counties.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred the petition of 309 inhabitants of the village of Valatie, in the town of Kinderhook, Columbia county, for an amendment of the act to incorporate the Valatie Fire Company, &c., reported adverse to the prayer of the petitioners, which was laid on the table.

Mr. Beers, from the same committee, to whom was referred the petition of the German Community in Erie county, for the incorporation of the village of Ebenezer, asked for and obtained leave to report a bill entitled "An act to incorporate the village of Ebenezer, in the county of Erie," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to divide the town of Sparta, and to erect the towns of Sparta, West-Sparta and North Dansville, in the county of Livingston," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and said bill was ordered to a third reading.

Mr. Barlow, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act to amend the several acts relative to the inspection of beef and pork, and the appointment of inspectors in the city of New-York,' passed May 6, 1844," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Putnam, from the committee on the judiciary, to whom were referred two several bills with the following titles, to wit: "An act to amend an act passed April 25th, 1832, entitled 'An act regulating suits on bills of exchange and promissory notes;'" also "An act to amend the act entitled 'An act relating to documentary evidence,' passed May 14, 1845," reported in favor of the passage of said bills, with amendments thereto respectively, which were severally committed to a committee of the whole.

Mr. Putnam, from the same committee, to whom was referred the bill entitled "An act to provide for the trial of certain criminal offences," reported against the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of the last three mentioned bills respectively, be printed.

Mr. Sedgwick asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the Natural History of the State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Johnson offered the following resolution which was laid on the table, to wit :

Resolved, That the select committee ordered by the Senate on the 9th day of January last, and to which was referred so much of the message of the Governor, as relates to leasehold estates, the complaints of the tenants in relation thereto and the remedies proposed, make report without delay by bill or otherwise, as in their judgment will best subserve the public interests.

Mr. Sedgwick offered the following resolution,

Resolved, That all prior orders be laid on the table, and the Senate resolve itself into a committee of the whole on the bill entitled "An act to erect the county of Schuyler."

Mr. Chamberlain moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Jones	
Mr. Burnham	Mr. Folsom	Mr. Lott	
Mr. Chamberlain	Mr. Hard	Mr. Scovil	
Mr. Clark	Mr. Johnson	Mr. Spencer	12

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	Mr. Sedgwick	
Mr. Denniston	Mr. Porter	Mr. S. Smith	
Mr. Hand	Mr. Putnam	Mr. Young	9

On motion of Mr. Putnam,

The committee of the whole was discharged from the further consideration of the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside in the village of LeRoy, in the county of Genesee," and said bill was ordered to be engrossed for a third reading.

Mr. Lester offered the following resolution.

Resolved, That the circuit judge of the seventh circuit be requested to report to the Senate a copy of the evidence taken upon the recent trial at Auburn, of Henry Wyatt, a convict, for the murder in the State prison at that place, of James Gordon, another convict.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Burnham	Mr. Denniston
Mr. Barlow	Mr. Chamberlain	Mr. Deyo
Mr. Beers	Mr. Clark	Mr. Emmons

Mr. Folsom	Mr. Lott	Mr. Scovil	
Mr. Hand	Mr. Mitchell	Mr. S. Smith	
Mr. Johnson	Mr. Porter	Mr. Wheeler	
Mr. Lester	Mr. Putnam	Mr. Young	21

Ordered, That the Clerk transmit a copy of said resolution to said circuit judge.

On motion of Mr. Folsom,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which as amended with his assent, was read in the words following, to wit:

Resolved, That on and after Wednesday the 25th inst., the Senate will meet at half past three, P. M., except on Saturdays, for the purpose of disposing of the concurrent resolutions relating to Texas, Oregon, &c., and that said resolutions be made a special order for each day at that hour until disposed of.

Mr. President put the question on agreeing to said resolution, as amended, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Denniston	Mr. Porter	
Mr. Beers	Mr. Folsom	Mr. S. Smith	6

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Mitchell	
Mr. Burnham	Mr. Hard	Mr. Putnam	
Mr. Chamberlain	Mr. Johnson	Mr. Scovil	
Mr. Clark	Mr. Jones	Mr. Spencer	
Mr. Deyo	Mr. Lester	Mr. Wheeler	
Mr. Emmons	Mr. Lott	Mr. Young	18

On motion of Mr. Barlow,

Resolved, That so much of the several reports made to the Legislature of this session, from the various officers of the State prisons, relating to the subject of furnishing the various prisons with books or libraries for the use of the convicts, be referred to the committee on State prisons, for their consideration and report.

By unanimous consent, Mr. Hand presented a memorial of George A. Simmons and six other gentlemen, a committee for that purpose, stating the results of a survey of a railroad and steamboat route, from Lake Champlain to the county of Oneida, and asking an act of incorporation, and moved that the same with the accompanying documents be printed, which were referred to the committee on commerce and navigation, and the motion to print to the committee on public printing.

On motion of Mr. Clark,

Resolved, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend the act entitled 'An act to amend the several acts relative to the inspection of beef and pork, and the appointment of inspectors of the city of New-York,' passed May 6, 1844," and that the same be ordered to a third reading.

Mr. Folsom moved that all other orders of business do now lie on the table, and the Senate proceed to the consideration of the general orders of the day.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Denniston	Mr. Mitchell
Mr. Barlow	Mr. Folsom	Mr. Porter
Mr. Beers	Mr. Johnson	Mr. Scovil
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain		

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FOR THE NEGATIVE.

Mr. Hard	Mr. Putnam	Mr. Wheeler
Mr. Lester		

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The Senate then passing by several bills, &c., without prejudice, resolved itself into a committee of the whole on the bill entitled "An act to incorporate the board of Foreign Missions of the Presbyterian Church in the United States of America," and after time spent thereon, Mr. President resumed the chair, and Mr. Hard, from said committee, reported that they had gone through the bill, and made an amendment thereto, which with the bill they had directed him to report to the Senate, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at LeRoy, in the county of Genesee," which was ordered to a third reading.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to amend the act to punish the procurement of abortion and for other purposes," passed May 13th, 1845, and it was decided in the affirmative.

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the Revised Statutes in relation to the exemption of incorporated companies from taxation and for other purposes," and after some time spent thereon, Mr. President resumed the chair, and Mr. Emmons, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled "An act to provide for the appointment of an additional number of commissioners of deeds in and for the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., FEBRUARY 25, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The minutes of yesterday having been read and approved,

Mr. Lester presented the petitions of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made suable in justices' courts, which were read and referred to the committee on railroads.

Mr. Hard presented six several petitions from citizens of Monroe, and Niagara counties, for the Niagara Canal and Hydraulic Company, which were read and referred to the committee on commerce and navigation.

Mr. Hard presented two several petitions from citizens of Monroe county, for a bridge at Niagara Falls, which were read and referred to the committee on roads and bridges.

Mr. Emmons presented three several remonstrances of inhabitants of Chautauque county, against any division of that county, which was read and referred to the committee of the whole, having in charge the bill to erect the county of Conewango.

Mr. Emmons presented the remonstrance of inhabitants of Jamestown, against the passage of any law to compel country banks to redeem their notes at par in the city of New-York, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. S. Smith presented two several remonstrances of inhabitants of Dutchess county, against selling the poor house and farm in said county, which were read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Jones presented the remonstrance of Calvary Church in the city

of New-York, against the repeal or modification of the act of 25th January, 1814, relative to Trinity Church in that city, which was read and referred to the committee on charitable and religious societies.

Mr. Lott presented a like remonstrance from Frederick Pentz, and one hundred and four other Episcopalians of the city of New-York, not of the parish of said church, which was read and referred to the same committee.

Mr. Lott presented the petition of members of the bar of the city of New-York, for the incorporation of the Hudson Railroad Company, which was read and referred to the committee on railroads.

Mr. Denniston presented the petition of citizens of Chester, Orange county, for the passage of a law authorizing the board of supervisors to return to the town system of supporting the poor if they desire it, which was read and referred to the committee on the poor laws.

Mr. Barlow presented the petition of inhabitants of Madison county, for the completion of the Oneida river improvement, which was read and referred to the committee on canals.

Mr. Wheeler presented the proceedings of a democratic meeting at Aurora, in the county of Erie, in favor of the new county of Buffalo, which was read and referred to the committee on the division of towns and counties.

Mr. Van Schoonhoven presented two several petitions of citizens of Albany and Onondaga counties, in behalf of convicts imprisoned in consequence of offences growing out of the difficulties between landlord and tenant in this State, which were read and referred to the committee on the judiciary.

Mr. Sedgwick, from the committee on public printing, to whom was yesterday referred the motion to print the memorial of major D. S. Holcomb and others, relative to the militia laws, reported in favor thereof, which was agreed to by the Senate.

Thereupon,

Ordered, That the usual number of copies of said memorial be printed.

[*See Senate Document No. 67.*]

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition of the New-York Typographical Society, for a renewal of charter, asked for and obtained leave to report a bill entitled "An act to revive and continue the New-York Typographical Society," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Putnam, from the committee on the judiciary, to whom were referred sundry petitions for that purpose, asked for and obtained leave to report a bill entitled "An act to punish seduction and adultery, and for other purposes," which was read the first time, and by unanimous con-

sent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills be printed.

Mr. Barlow, from a majority of the committee on manufactures, to whom was referred the petition of Seth C. Jones and six hundred others of the city of Rochester, for a charter for manufacturing cotton and woollen cloths in that city, made a written report thereon and asked for and obtained leave to report a bill entitled "An act to incorporate the Genesee cotton mills," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[See Senate Document No. 65.]

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to incorporate the board of Foreign Missions of the Presbyterian Church of the United States of America," which was ordered to a third reading.

Mr. Hard, from the committee on public printing, to whom was referred the motion to print the memorial of George A. Simmons and six other gentlemen, stating the results of a survey of a railroad and steamboat route, from Lake Champlain to the county of Oneida, and asking for an act of incorporation, together with the accompanying documents, reported in favor of printing the usual number of copies thereof.

After debates thereon, Mr. Hard moved to recommit the same with instructions, to enquire and report the probable expense of printing the usual number of the whole together, and also the expense of printing each document separately.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Van Schoonhoven
Mr. Burnham	Mr. Porter	Mr. Young
Mr. Johnson	Mr. Putnam	

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Scovil
Mr. Clark	Mr. Hard	Mr. Sedgwick
Mr. Denniston	Mr. Jones	Mr. Spencer
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Folsom		

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Mr. Hard then moved to amend the report of said committee by ordering printed five hundred extra copies of said memorial, documents and maps, for the use of the surveyor and the committee.

Mr. Porter asked a division of the question.

Further debates being had but without taking the question thereon.

Mr. Sedgwick, from the committee on poor laws, to whom were referred sundry petitions from Orange county, for that purposed asked for and obtained leave to report a bill entitled "An act authorizing the board of supervisors of the county of Orange, to restore the distinction between county and town poor," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Porter, in behalf of Mr. Talcott, Mr. Talcott was discharged as a member of the select committee, on the subject relating to the northern section of the Champlain Canal and Glen's-Falls Feeder.

The President then announced, and

Thereupon,

Ordered, That Mr. Spencer be a member of said select committee in the place of Mr. Talcott.

On motion of Mr. Johnson,

The vote on the motion to recommit the report of the committee on public printing, on the memorial, &c., of George A. Simmons and others, was reconsidered, and said report was recommitted to the committee on public printing, with instructions to enquire and report the expense of printing the usual number of said memorial and accompanying documents, and maps together, and also the expense of each separately.

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., FEBRUARY 26, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Knapp,

The minutes of yesterday having been read and approved,

Mr. Chamberlain presented two several petitions of inhabitants of Cattaraugus county, for a law authorizing the board of supervisors of said county to raise money to build a bridge across the Allegany river, which were read and referred to the committee on roads and bridges.

Mr. S. Smith presented the petition of the inhabitants of Pough-

keepers, for an act authorizing the erection of a town poor house in said town, which was read and referred to the committee on the poor laws.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made sueable in justices' courts, which was read and referred to the committee on railroads.

Mr. Johnson presented two several petitions of inhabitants of the county of Greene, for a railroad from Schenectady to Catskill, which were read and referred to the same committee.

Mr. Beekman presented two several petitions of the same county, for the same purpose, which were read and referred to the same committee.

Mr. Clark presented the petition of two hundred and forty-eight inhabitants of Whitehall, to abolish corporal punishment in the prisons and penitentiaries in this State, which was read and referred to the committee on State prisons.

Mr. Wright presented the petition of inhabitants of Schoharie county, for the incorporation of a turnpike road from the east end of the Blenheim bridge in North Blenheim, to intersect the route of the Gilboa and Potter's Hollow Turnpike, in the town of Broome, which was read and referred to the committee on roads and bridges.

Mr. Denniston presented the petition of citizens of Newburgh, for the passage of a law repealing that portion of the act of 1840, which prevents the issuing of execution until the expiration of thirty days, after obtaining judgment, which was read and referred to the committee on the judiciary.

Mr. Spencer presented eleven several memorials from merchants and other citizens of the city of New-York, for the same purpose, which were read and referred to the same committee.

Mr. Spencer presented the petition of the trustees of the Black River Literary and Religious Institute, to change its name to "the Jefferson County Institute," which was read and referred to the committee on charitable and religious societies.

Mr. Lott presented the memorial and remonstrance of Hon. Samuel Jones, and eighty-four other Episcopalians of the city of New-York, not of the parish of Trinity church, against the repeal or modification of the act of 25th January, 1814, relative to that church, which were read and referred to the same committee.

Mr. Jones presented the petition and memorial of the church of the Redemption in New-York, against the repeal or modification of said act, which were read and referred to the same committee.

Mr. S. Smith presented the petition of the town officers of Fishkill, Dutchess county, for the passage of an act authorizing the appropriation of certain moneys, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Denniston presented the petition of citizens of Monroe, Orange county, for a law authorizing the board of supervisors of said county, to return to the town system for supporting the poor, which was read

and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Beckman presented the petition of inhabitants of the county of Greene, for the passage of a law to compel all the banks in this State to redeem their notes at par in the cities of New-York or Albany, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Porter, from the committee on finance, to whom was referred the bill entitled "An act in relation to the Natural History of the State," reported in favor of the passage thereof, with an amendment, which was committed to a committee of the whole.

Mr. Porter, from the same committee, to whom was referred the petition of William Hicks, a loan officer in the county of Suffolk, for the passage of a law requiring the payment of money loaned in said county, under the act of 1792, asked for and obtained leave to report a bill entitled "An act in relation to the loans of 1792," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

Mr. Hard, from the committee on public printing, to whom was yesterday recommitted the memorial of George A. Simmons and others with the accompanying documents and maps, with instructions to enquire and report the expense of printing, &c., said memorial, documents and maps together and each separately, reported in favor of printing the usual number of the memorial and accompanying reports, and map No. 2, being the large map, and also 300 extra copies for the Legislature and 200 for the use of the memorialists and engineer.

Debates being had thereon to the hour of 12, Mr Van Schoonhoven moved to suspend the special order of the day for half an hour.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Putnam
Mr. Barlow	Mr. Hard	Mr. Scovil
Mr. Clark	Mr. Lester	Mr. Sedgwick
Mr. Denniston	Mr. Lott	Mr. Spencer
Mr. Emmons	Mr. Mitchell	Mr Van Schoonhoven
Mr. Folsom	Mr. Porter	Mr. Young 18

FOR THE NEGATIVE.

Mr. Beers	Mr. Deyo	Mr. Johnson
Mr. Burnham		

Further debates being had but without taking any question thereon. Mr. Johnson moved that the whole subject be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Deyo	Mr. Lester
Mr. Burnham	Mr. Johnson	Mr. Putnam
Mr. Denniston	Mr. Jones	Mr. Young

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FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Porter
Mr. Barlow	Mr. Hand	Mr. Scovil
Mr. Chamberlain	Mr. Hard	Mr. Sedgwick
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Emmons	Mr. Mitchell	Mr. Van Schoonhoven

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Mr. Porter then asked a division of the question on agreeing with said committee in their report.

Mr. President then put the question on printing the usual number of copies as reported by said committee, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Chamberlain	Mr. Hard	Mr. S. Smith
Mr. Clark	Mr. Mitchell	Mr. Spencer
Mr. Emmons	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Lott
Mr. Beers	Mr. Johnson	Mr. Putnam
Mr. Burnham	Mr. Jones	Mr. Wheeler
Mr. Denniston	Mr. Lester	Mr. Young

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Mr. President then put the question on printing 300 extra copies thereof for the Legislature pursuant to said report, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer
Mr. Barlow	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	9

FOR THE NEGATIVE.

Mr. Beers	Mr. Emmons	Mr. Porter
Mr. Burnham	Mr. Hand	Mr. Putnam
Mr. Chamberlain	Mr. Johnson	Mr. Scovil
Mr. Clark	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Wheeler
Mr. Deyo	Mr. Lott	Mr. Young
		18

Mr. President then put the question on printing 200 extra copies for the use of the memorialists and engineer, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Hard	Mr. Spencer
Mr. Folsom	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Hand		7

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Johnson	Mr. Putnam
Mr. Beers	Mr. Jones	Mr. Scovil
Mr. Burnham	Mr. Lester	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo		19

Thereupon,

Ordered, That the usual number of copies of said memorial and accompanying documents, and map No. 2, being the large map, be printed only.

[See Senate Document No. 73.]

A communication was received from the circuit judge of the third circuit, answering a resolution of the Senate of the 16th inst., relative to certain trials in the late oyer and terminer of Delaware county, was received, read and referred to the committee on the judiciary.

Mr. Van Schoonhoven moved that the usual number of copies of said report and accompanying testimony be printed, which was referred to the committee on public printing.

By unanimous consent,

Mr. Clark, from the committee on the militia, to whom was referred the bill from the Assembly entitled "An act granting the consent of the State of New-York, to the purchase by the United States of certain lands for defensive works and ceding jurisdiction over the same," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Thereupon,

On motion of Mr. Clark,

Said bill was read the third time, and the question on the final passage thereof, laid on the table.

On motion of Mr. Spencer,

The bill from the Assembly entitled "An act to divide the town of Sparta, and to erect the towns of Sparta, West-Sparta and North Dansville, in the county of Livingston," was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act to amend the act entitled 'An act to amend the several acts relative to the inspection of beef and pork, and the appointment of inspectors in the city of New-York,' passed May 6, 1844," was read the third time, and the question on the final passage thereof, laid on the table.

On motion of Mr. Putnam,

The engrossed bill entitled "An act to authorize the appointment of a supreme court commissioner to reside in the village of LeRoy, in the county of Genesee," was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Amos Kingsly and Archibald Campbell," after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled "An act to extend the time for the collection of taxes in the city and county of Albany," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Van Schoonhoven,

Said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

On motion of Mr. Folsom,

Ordered, That the list of the bills on the general orders be printed.

[*See Senate Document No. 69.*]

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., FEBRUARY 27, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Kip.

The minutes of yesterday having been read and approved,

Mr. Barlow presented the petition of inhabitants of Madison county, for the completion of the Oneida river improvements, which was read and referred to the committee on canals.

Mr. Williams presented the petition of Job Carpenter and others, of Westchester county, in relation to the New-York and Hartford Railroad, which was read and referred to the committee on railroads.

Mr. Chamberlain presented the remonstrance of inhabitants of Painted Post, in the county of Steuben, against any division of that county, which was read and referred to the committee on the division of towns and counties.

Mr. Chamberlain presented the petition of inhabitants of Allegany county, for a division of said county; also remonstrating against raising money to rebuild the jail of said county, which was read and referred to the same committee.

Mr. Lott presented the petition and remonstrance of A. B. McDonald, and fifty-three other Episcopalians of the city of New-York, not of the parish of Trinity Church in that city, against the repeal of the act of January 25, 1814, relative to that church, which was read and referred to the committee on charitable and religious societies.

Mr. Williams presented the petition of the members of the Young Men's Lyceum of the village of Prattsburgh, asking for an act of incorporation, which was read and referred to the committee on literature.

Mr. Williams presented two several petitions of inhabitants of Cayuga and Onondaga counties, for the incorporation of a Homoeopathic College of physicians and surgeons for western New-York, to be located at Auburn, which was read and referred to the committee on medical societies and medical colleges.

Mr. Deyo presented the petition of sundry inhabitants of the county of Ulster, for a charter to build a bridge across the Rondout creek at Rondout, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Emmons presented the remonstrance of inhabitants of Chautauque county, against any division of that county, which was read and referred to the committee of the whole, when upon the bill to erect the county of Conewango.

Mr. Wheeler presented the petition of inhabitants of Cattaraugus county, for the erection of the county of Conewango, which was read and referred to the same committee of the whole.

Mr. Beekman presented the petition of citizens of the village of Canandaigua, praying that the location of the present track of the Auburn and Rochester Railroad over the public square in said village may be confirmed by the requisite legal enactments, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Putnam, from the committee on commerce and navigation, to whom was referred the petition of Charles Hatch and Joel F. Whitney, for a grant of a ferry across Lake Champlain, asked for and obtained leave to report a bill entitled "An act authorizing and regulating a ferry across Lake Champlain, at Westport in the county of Essex," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill, be printed.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print the communication from the circuit judge of the 3d circuit, with accompanying documents relative to recent trials in theoyer and terminer of Delaware county, reported in favor of printing the usual number of copies thereof.

Debates being had thereon, but without taking the question of agreeing with the committee in their report.

On motion of Mr. Beers,

Ordered, That said report be laid on the table.

Mr. Lott, from the committee on the judiciary, to whom was referred sundry petitions to repeal the section of the act of 1840, prohibiting the issuing of execution, &c., until the expiration of thirty days, asked for and obtained leave to report a bill entitled "An act in relation to judgments and executions," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to provide for the appointment of an additional number of commissioners of deeds in and for the city and county of New-York," reported the same with amendments for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Jones moved that said bill be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

Mr. Beekman, from the committee on railroads, to whom was referred sundry petitions from inhabitants of Greene county, for that pur-

pose asked for and obtained leave to report a bill entitled "An act to incorporate the Catskill and Schenectady Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Beekman, from the committee on poor laws, to whom were referred the petition of inhabitants of Poughkeepsie, for that purpose asked for and obtained leave to report a bill entitled "An act authorizing the erection of a town poor house in the town of Poughkeepsie," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

The report of the Lockport and Niagara Falls Railroad Company, answering the resolution of the Senate of the 29th ult., relative to the names and residences of their stockholders, was received, read and referred to the committee on railroads, and the question of printing the same laid on the table.

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to annex the towns of Eagle, Pike and Portage, to the county of Wyoming," and that the same be referred to the select committee, having in charge the bill relative to the apportionment, to consider and report complete.

A bill was received from the Assembly for concurrence entitled "An act to extend the time for the collection of taxes in the county of Rensselaer," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Van Schoonhoven,

Said bill was ordered to a third reading, and

On motion of Mr. Hand,

Recommitted to the committee on finance.

On motion of Mr. Scovil,

Resolved, That the Commissioners of the Canal Fund report to the Senate the tolls paid to them in each year by the Syracuse and Utica and the Auburn and Syracuse Railroad Companies, since the completion of said roads, specifying the amount of tolls paid by each of said companies; also whether either of the said companies have omitted to pay the tolls required to be paid, and if so, the reason for not having enforced the payment of the same.

Ordered, That the Clerk deliver a copy of said resolution to the Commissioners of the Canal Fund.

The hour of twelve having arrived, Mr. Hard asked leave to offer a resolution.

Mr. Johnson called for the execution of the special order of the day.

Mr. Hard then moved to suspend said special order to enable him to offer a resolution.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Clark

Mr. Emmons
Mr. Hard

Mr. Putnam

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FOR THE NEGATIVE.

Mr. Barlow
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo

Mr. Folsom
Mr. Hand
Mr. Johnson
Mr. Lester
Mr. Lott

Mr. Mitchell
Mr. Sedgwick
Mr. S. Smith
Mr. Wheeler
Mr. Young

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By unanimous consent, Mr. Spencer presented the petition of Ebenezer Murdock, for relief, which was read and referred to the Comptroller for his report thereon.

The Senate then, pursuant to the special order of the day, again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Amos Kingsley and Archibald Campbell," and after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to amend the act entitled 'An act to amend the several acts relative to the inspection of beef and pork, and the appointment of inspectors in the city of New-York,' passed May 6, 1844," and it was decided in the affirmative.

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., FEBRUARY 28, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Knapp,

The minutes of yesterday having been read and approved.

Mr. Beekman presented two several petitions of inhabitants of Coxsackie, Greene county, that all the banks in this State be required to

redeem their notes at par in New-York or Albany, which were read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Putnam presented two several petitions of citizens of the county of Wyoming, that the towns of Eagle, Pike and Portage, in Allegany county, be annexed to Wyoming, which were read and referred to the select committee, having in charge the bill to which they relate.

Mr. Beekman presented the petition of the officers of the Auburn and Rochester Railroad, with other papers accompanying the same, praying that the track of that railroad over the public square in the village of Canandaigua, may be confirmed by the requisite legal enactments, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Jones presented the communication by Trinity Church in the city of New-York, of proceedings of vestries of Zion, and St. Clements churches, and of the church of the Annunciation in that city, remonstrating against the repeal or modification of the act of January 25th, 1814, relating to Trinity Church, which was read and referred to the committee on charitable and religious societies.

Mr. Van Schoonhoven presented the petition of citizens of Columbia county, asking relief in behalf of convicts imprisoned for offences growing out of the relation of landlord and tenant in this State; also a like petition of citizens of Rensselaer county, which were read and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of citizens of Rensselaer county, asking the passage of a law to protect Seventh Day Baptists, against the service of civil process on the seventh day of the week, which was read and laid on the table.

Mr. Mitchell, from the committee on roads and bridges, to whom was referred the petition of inhabitants of the towns of Elizabethtown and Moriah, for a tax to build roads in said towns, asked for and obtained leave to report a bill entitled "An act to build and repair two certain roads in the towns of Moriah and Elizabethtown, in the county of Essex," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Mitchell, from the same committee, to whom was referred the petition of the commissioner of highways of the town of Canajoharie, accompanied by a resolution passed at the town meeting, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize the board of supervisors of the county of Montgomery, to raise money in the town of Canajoharie, for roads and bridges," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the election and official acts of the town officers of the town of Ellenburgh, in the county of Clinton, and for other purposes," reported in writing in favor of

the passage of said bill with amendments, which was committed to a committee of the whole.

Thereupon,

Ordered, That the usual number of copies of said report and bill with the amendments respectively, be printed.

[See Senate Document No. 72.]

Mr. Barlow, from the committee on manufactures, pursuant to the resolution of the Senate of the 5th inst., directing them to enquire and report what, if any, regulations now exist by which the superintendent of the Montezuma Salt Springs, is required to account, &c., made a written report thereon, concluding with the following resolution.

Resolved, That the committee be discharged from the further consideration of the subject, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 70.]

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Jones,

Ordered, That said bill be made the special order of the day for Monday morning next at 11 o'clock.

Mr. Hand, from the same committee, to whom was recommitted the bill from the Assembly entitled "An act to extend the time for the collection of taxes in the county of Rensselaer," reported in favor of the passage thereof, without amendment.

Mr. Clark moved to amend said bill by inserting as the second section the following, to wit :

§ 2. All the provisions of section one of this act shall apply to every town, city and ward in this State, except the city and county of New-York, and the county of Kings.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow

Mr. Clark
Mr. Denniston

Mr. Young

FOR THE NEGATIVE.

Mr. Beekman	Mr. Hand	Mr. Scovil
Mr. Burnham	Mr. Hard	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Deyo	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Porter	Mr. Williams
Mr. Folsom	Mr. Putnam	

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On motion of Mr. Van Schoonhoven,

Mr. President then put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Deyo	Mr. Mitchell	Mr. Williams
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Beers	Mr. Denniston	Mr. Porter
Mr. Burnham	Mr. Johnson	Mr. Young
Mr. Clark	Mr. Lester	

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Thereupon,

Said bill was ordered to a third reading, and

On motion of Mr. Van Schoonhoven,

Said bill was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Deyo	Mr. Mitchell	Mr. Williams
Mr. Emmons	Mr. Putnam	

17

FOR THE NEGATIVE.

Mr. Burnham
Mr. Clark
Mr. Denniston

Mr. Johnson
Mr. Lester

Mr. Porter
Mr. Young

7

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Putnam, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm certain trusts therein specified," reported in favor of the passage thereof, which was committed to a committee of the whole.

By unanimous consent,

Mr. Putnam gave notice that he would at some future time ask leave to introduce a bill enlarging the time for issuing executions on judgments, rendered by justices of the peace, whose term of office shall have expired.

Mr. Folsom asked for and by unanimous consent obtained leave to bring in a bill entitled "An act for supplying the capitol with pure and wholesome water," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings.

Mr. Johnson presented the affidavits of the publication of notice for the new county of Schuyler, which were read and referred to the committee of the whole, having in charge the bill to erect the county of Schuyler.

Mr. Hand pursuant to notice asked for and obtained leave to bring in a bill entitled "An act in relation to suits in courts of law," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Beekman asked for and obtained leave of absence for Mr. Sedgwick, for eight days from this day.

Mr. Burnham asked for and obtained leave of absence for Mr. Wheeler, for one week from this day.

The annual report of the Regents of the University was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 54.]

Mr. Folsom moved that 750 extra copies of said report for the use of the Regents be printed, which motion was referred to the committee on public printing.

Thereupon,

On motion of Mr. Clark,

The present and all intervening orders of business were laid on the table, and the Senate again resolved itself into a committee of the whole,

on the several concurrent resolutions relative to Texas, Oregon, &c., and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of Isaac Jones, a justice of the peace," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the usual number of copies of said bill with the amendments, be printed.

Mr. Beers offered the following resolution, which was laid on the table, to wit:

Resolved, That the residue of the argument on the resolutions in relation to Texas and Oregon, may be submitted in writing, and a copy thereof be given to such of the reporters as the author of the argument may designate.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 2, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lindsey.

The minutes of Saturday having been read and approved,

Mr. Van Schoonhoven presented two several petitions of citizens of Columbia and Rensselaer counties, respectively, in behalf of convicts imprisoned for offences growing out of the relation of landlord and tenant in this State, which were severally read and referred to the committee on the judiciary.

Mr. Barlow presented the petition of sundry inhabitants of Oswego county, for the passage of a law to abolish the office of police justice in Oswego village, which was read and referred to the same committee.

Mr. Beekman presented the petition of John D. Russ, of the city of New-York, asking that a law may be passed from the operation of which we can obtain an accurate account of all the marriages, births and deaths that occur in this state, which was read and referred to the committee on medical societies and medical colleges.

Mr. Lott presented the memorial and remonstrance of the corporation of St. Luke's Church in the city of New-York, also the like remonstrance from Thomas Browning, and other Episcopalians not of the parish of Trinity church, against the repeal or modification of the act of 25th January, 1814, relative to that church, which were read and referred to the committee on charitable and religious societies.

Mr. Jones presented a like memorial and remonstrance of the rector, vestrymen and other male members of the Anglo American Free Church of St. George the Martyr, which were read and referred to the same committee.

Mr. Lester presented the petition of citizens of Ontario county, that the Auburn and Rochester Railroad Company may be made suable in justices' courts, which was read and referred to the committee on railroads.

Mr. Putnam presented the remonstrance of inhabitants of the county of Wyoming, against the application for a railroad from Buffalo to to the village of Hinsdale, which was read and referred to the same committee.

Mr. Johnson presented the petition of the collector and six other persons of the town of Hancock, Delaware county, for an extension of the time for the collection of taxes in that town, which was read and referred to the committee on finance.

Mr. Johnson presented the petition of John Ferris, for relief, which was read and referred to the committee on public expenditures.

Mr. Clark presented the proceedings of a military convention of the 49th brigade of the military of St. Lawrence county, which was read and referred to the committee on the militia.

Mr. Folsom presented the petition of Henry Jordan, an Oneida Indian, for indemnity for expenses and services in behalf of the Indians, which was read and referred to the committee on Indian affairs.

Mr. Barlow presented the remonstrance of sundry inhabitants of Jefferson county, against the passage of a law requiring par redemptions in New-York or Albany, by country banks, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Jones presented a copy of a resolution passed at the annual town meeting of the town of Dayton, Cattaraugus county, in favor of the new county of Schuyler, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the election and official acts of the town officers of the town of Clinton, in the county of Clinton, and for other purposes," reported in writing against the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 75.]

Mr. Porter, from the committee on finance, to whom was referred the petition of the mayor, recorder, aldermen and commonalty of the city of Troy, for a law authorizing them to pay to the Comptroller 100,000 dollars, as satisfaction of their liability to pay that amount of the certificates of stock loaned by the State to the Schenectady and Troy Railroad Company, reported in writing adverse to the prayer of the petitioners, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 74.*]

Mr. Porter, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the relief of John Moore," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the committee on public printing, to whom was referred the motion to print 750 extra copies of the annual report of the Regents of the University, for the use of said Regents, reported in favor of said motion, which was agreed to by the Senate.

Ordered, That 750 extra copies of said report for the use of the Regents, be printed.

[*See Senate Document No. 71.*]

Mr. Beers, from the committee on commerce and navigation, to whom was referred the petition of inhabitants of the Fourth District, for the purpose, asked for and obtained leave to report a bill entitled "An act to provide for the construction of a railroad and slack water navigation from Port Kent, or its vicinity, on Lake Champlain, through a portion of the Saranac and Racket rivers, Long lake, Crotchet and Racket lakes, and Moose lake and river to Black river, at Booneville, Oneida county, or through parts of the aforesaid lakes, rivers and places," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill, be printed.

Mr. Young, from the committee on literature, to whom was referred the petition of the trustees of school district No. 1, of the town of Flatbush, Kings county, for authority to sell and lease the real estate of the district, asked for and obtained leave to report a bill entitled "An act in relation to common schools in the town of Flatbush, in the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Lott,

Said bill was ordered to be engrossed third reading.

Mr. Lester, from the select committee, to whom was referred the bill entitled "An act to annex the towns of Eagle, Pike and Portage, to the county of Wyoming," to consider and report complete, reported the same with amendments, and changing the title by inserting the words "and a part of" before the word "Portage," which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

By unanimous consent, Mr. Putnam, pursuant to notice, asked for and obtained leave to bring in a bill entitled "An act extending the powers of a justice of the peace as to issuing executions after the term of his office has expired," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Mitchell,

Resolved, That the Assembly be requested to transmit to the Senate, the petition and papers for the relief of the widow Lucy Buckner, which were presented to that house at its last session.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

By unanimous consent,

Mr. Hard offered the following resolution.

Resolved, That the bill number seventy-eight on the general orders, being the bill for the relief of the Auburn and Rochester Railroad Company, be made the special order of the day for Wednesday next.

Mr. Porter moved to lay said resolution on the table.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. Putnam
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Folsom	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Hard	Mr. Scovil
Mr. Emmons	Mr. Lott	Mr. Van Schoonhoven

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The Senate then, pursuant to the special order of the day, resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Porter,

Ordered, That said bill be made the special order for to-morrow morning at 11 o'clock, and that the usual number of copies thereof, be printed.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition for that purpose, asked for and obtained leave to report for the consideration of the Senate a bill entitled "An act for the relief of the estate of James Dobbins, deceased," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Barlow asked for and obtained leave of absence for Mr. Spencer, for five days from this day.

Mr. Lott moved that the present and all intervening orders of business be laid on the table, and that the Senate again resolve itself into a committee of the whole, on the several concurrent resolutions relative to Texas, Oregon, &c.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell
Mr. Barlow	Mr. Folsom	Mr. Putnam
Mr. Beekman	Mr. Hand	Mr. J. B. Smith
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Lester	Mr. Wright
Mr. Clark	Mr. Lott	

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Porter	Mr. Young
Mr. Johnson	Mr. S. Smith	

5

The Senate then again resolved itself into a committee of the whole on the said resolutions, and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly transmitting to the Senate, pursuant to their request, the papers relating to the claim of Lucy Buckner, which papers were read and referred to the committee on the judiciary.

Mr. Jones offered the following resolution,

Resolved, That on and after to-morrow and until otherwise ordered, the Senate will hold afternoon sessions commencing at four o'clock, for the purpose of considering and disposing of the concurrent resolutions relating to Texas, the Tariff, &c.

Mr. Hard moved to amend said resolution by striking out all after the words "disposing of" and inserting the following instead thereof, "the bill to amend the act entitled 'An act to incorporate the Susquehanna and Cayuga Railroad Company,'"

Mr. Mitchell moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Emmons	Mr. Hand
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Mr. Hard
Mr. Lester

Mr. Lott
Mr. Mitchell

Mr. J. B. Smith
Mr. Williams

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FOR THE NEGATIVE.

Mr. Backus
Mr. Beers
Mr. Chamberlain
Mr. Clark
Mr. Denniston

Mr. Folsom
Mr. Johnson
Mr. Jones
Mr. Porter

Mr. Putnam
Mr. S. Smith
Mr. Van Schoonhoven
Mr. Wright

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Mr. Lester then moved to lay the whole subject on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Emmons
Mr. Hand
Mr. Hard

Mr. Lester
Mr. Lott
Mr. Mitchell

Mr. Putnam
Mr. Van Schoonhoven
Mr. Williams

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FOR THE NEGATIVE.

Mr. Beers
Mr. Clark
Mr. Denniston

Mr. Folsom
Mr. Jones
Mr. Porter

Mr. S. Smith
Mr. Wright

8.

The report of B. D. Noxon, acting in behalf of the district attorney at the oyer and terminer of Cayuga county, of the testimony before the grand jury on complaints relating to the death of the convict Charles S. Plumb, pursuant to the resolution of the Senate, was received, read and laid on the table.

The annual report of the managers of the society for the reformation of juvenile delinquents, in the city of New-York, was received, read and laid on the table.

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 3, 1846. 、

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Meyer.

The minutes of yesterday having been read and approved,

Mr. Chamberlain presented the petition of Nicholas Nicholson, for a reappraisal of his damages, &c., on the Genesee Valley canal, which was read and referred to the committee on grievances.

Mr. S. Smith presented two several remonstrances of citizens of the town of Westchester, against any division of that town, which were read and referred to the committee of the whole, when upon the bill to which they relate.

Mr. Barlow presented the petition of sundry inhabitants of Oswego county, for the abolishment of the office of police justice in the village of Oswego, which was read and referred to the committee on the judiciary.

Mr. Lott presented the petition of inhabitants of New-Lots, in the town of Flatbush, Kings county, for an act giving authority to the commissioners of highways to lay out a certain road of the width of two rods, which was read and referred to the committee on roads and bridges.

Mr. Beers presented the affidavit of George Gardiner, to be annexed to his petition for relief, presented at the last session, which was read and with said petition and papers on file, referred to the committee on claims.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made sueable in justices' courts, which was read and referred to the committee on railroads.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Amsterdam, in the county of Montgomery, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Hard, from the committee on railroads, to whom was referred the petition of the commissioner of the Canandaigua and Corning Railroad, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend the charter of the Canandaigua and Corning Railroad Company," which was read the first time, and by unani-

mous consent was also read a second time, and committed to a committee of the whole.

Mr. Jones, from the committee on commerce and navigation, to whom were referred the petitions for that purpose, asked for and obtained leave to report a bill entitled "An act regulating the speed of steamboats upon the Hudson river," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Lester asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to actions against railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and on motion, committed to a committee of the whole.

Ordered, That the usual number of copies of the last five mentioned bills respectively, be printed.

Mr. Scovil, from the committee on public buildings, to whom was referred the bill entitled "An act for supplying the capitol with pure and wholesome water," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to annex the towns of Eagle, Pike, and a part of Portage, to the county of Wyoming;" also the bill entitled "An act in relation to common schools in the town of Flatbush, in the county of Kings," which were severally ordered to a third reading.

On motion of Mr. Lott,

Said last mentioned bill was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The report of the circuit judge of the seventh circuit, answering a resolution of the Senate, of the testimony on the trial of Henry Wyatt, was received, read and referred to the committee on State Prisons.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for supplying the capitol with pure and wholesome water," which was ordered to a third reading.

On motion of Mr. Folsom,

Said bill was then read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

Mr. Lester pursuant to notice asked for and obtained leave to bring in a bill entitled "An act in relation to the election of delegates to the convention of the people of this State," which was read the first time, and by unanimous consent was also read a second time, and by unanimous consent committed to the same committee of the whole, when upon the bill to amend the act recommending a convention of the people of this State.

Ordered, That the usual number of copies of said bill be printed.

The Senate then pursuant to the special order of the day, again resolved itself into a committee of the whole, on the bill from the Assem-

bly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Porter,

Said bill was made the special order of the day for to-morrow morning at eleven o'clock.

Mr. Hand presented an abstract of the earnings of the Mount Pleasant State Prison, from October 1, 1835, to September 30, 1845, inclusive, which was read and referred to the committee on State prisons.

On motion of Mr. Hand,

Resolved, That the agent of the Auburn State Prison, as soon as conveniently may be, furnish to the Senate an abstract of the aggregate amount of the earnings of each shop, or of each kind of business, in said prison for each fiscal year for ten years last past.

Ordered, That the Clerk transmit a copy of said resolution to said agent.

On motion of Mr. Hand,

Resolved, That the Surveyor-General be requested to furnish the Senate with a statement of the amount of State lands, lying within fifteen miles of the proposed new route for a railroad and slack water navigation, recently surveyed by Prof. Benedict, and in what counties said lands are situate, and what is about the average price or value of said lands, and how long the same have been offered for sale, and whether the same are saleable at the present time.

Ordered, That the Clerk transmit a copy of said resolution to the Surveyor-General.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 4, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lindsey.

The minutes of yesterday having been read and approved,

Mr. Johnson presented the petition of inhabitants of Greene county, for a railroad from Schenectady to Catskill, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Williams presented the petition of sundry inhabitants of Yates and Steuben counties, in relation to the circulation of the safety fund banks, which was read and referred to the committee on banks and insurance companies.

Mr. Van Schoonhoven presented two several petitions of citizens of Columbia county, for the relief of convicts imprisoned on account of

offences growing out of the relation of landlord and tenant, which was read and referred to the committee on the judiciary.

Mr. Emmons presented sundry remonstrances from citizens of Chautauque county, against any division of that county, which were read and referred to the committee of the whole, when upon the bill to erect the county of Conewango.

Mr. Beekman presented the petition of Erastus Corning and others, for the incorporation of the Albany Gallery of the Fine Arts, which was read and referred to the committee on literature.

Mr. Lott, from the committee on the judiciary, under the resolution of the Senate, directing them to enquire whether compensation should not be granted to persons who shall arrest offenders under the Ashburton treaty, &c., asked for and obtained leave to report a bill entitled "An act to defray the expenses incurred in the apprehension of certain criminals," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Porter, from the committee on retrenchment, to whom was referred the bill entitled "An act in relation to the fees of county clerks," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Talcott, from the same committee, to whom was referred the bill entitled "An act to reduce the salaries of the clerks of the supreme court, and of the register, assistant register, and clerks in chancery," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Talcott, from the same committee, to whom was referred the bill entitled "An act to reduce the salaries of certain officers of this State," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Burnham,

Ordered, That the last three mentioned bills be made the special order of the day for Monday morning next, at 11 o'clock.

Mr. Porter, from the committee on finance, to whom was referred the bill entitled "An act in relation to the Geological map of the State," reported against the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of the last five mentioned bills respectively, be printed.

On motion of Mr. Hard,

Ordered, That the committee on railroads be discharged from the further consideration of sundry petitions that the Auburn and Rochester Railroad Company, may be made suable in justice's courts, and that the same be referred to the committee of the whole, when upon the bill in relation to actions against railroad corporations.

Mr. Folsom, from the committee on literature, to whom was referred the petition of Erastus Corning and others, for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Albany Gallery of Fine Arts," which was read the first time, and by unanimous consent was also read a second time and referred to a select

committee to consist of the Senators attending the Senate from the Third Senate District, to consider and report complete.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to amend the act to punish the procurement of abortions, and for other purposes," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The annual report of the Albany Savings Bank was received, read and laid on the table.

The report of the Commissioners of the Canal Fund, answering the resolution of the Senate, of the amount of tolls on freight carried by railroads, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 78.]

The report of the Secretary of State, of abstracts of the reports of the inspectors, weighers and measurers of provisions and produce, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 82.]

Mr. Lott, pursuant to notice, asked for and obtained leave to bring in a bill entitled "An act to amend an act concerning attachments against absconding, concealed and non-resident debtors," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Talcott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the incorporation of the Young Men's Association for mutual improvement in the village of Fulton," and that said bill be engrossed for a third reading.

On motion of Mr. Haré,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of the Auburn and Rochester Railroad Company," and that said bill be referred to a select committee to consist of the Senators attending the Senate from the Seventh Senate District, to consider and report complete.

On motion of Mr. Beers,

Resolved, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate, the petition of George Gardiner, for relief, and all papers relating thereto, now on file in that House, and that the same when so transmitted be referred to the committee on claims.

On motion of Mr. Clark,

Resolved, That the chief justice of the supreme court and chancellor, are hereby respectfully requested to report to the Senate, what notices now or heretofore required to be published in the State paper can

be dispensed with, consistently with the interests of suitors and of the public : and what substitutes can be provided for such notices, preferable to publishing the same as now required by law.

Ordered, That the Clerk deliver a copy of said resolution to the chief justice and chancellor respectively.

On motion of Mr. Van Schoonhoven,

Resolved, That such railroad companies as have not yet complied with the resolution of the Senate, passed January 30, 1846, calling upon them for certain reports and statements relative to the names of stockholders, amount of stock, &c., in each company, be and they are hereby required to comply with said resolution by the 12th day of March, instant, and that the Clerk of the Senate transmit immediately a copy of said resolution, together with a copy of this to the president, and also to the secretary of each of said companies so in default.

The Senate then again pursuant to order resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed two several bills with the following titles, to wit : "An act to provide for the public printing ;" also "An act to amend the act passed April 18, 1843, entitled 'An act in relation to the Croton water works in the city of New-York,'" without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act for the relief of the minor heirs of James Thompson, deceased," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said amendments be printed.

Mr. Emmons asked for and obtained leave of absence for Mr. Putnam, for ten days from yesterday.

Mr. Chamberlain asked for and obtained leave of absence for Mr. J. B. Smith, for two weeks from this day.

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 5, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Meyer.

The minutes of yesterday having been read and approved,

Mr. Burnham presented the resolutions passed at the annual town meeting of the town of Oxford, against any division of Chenango county, which were read and referred to the committee on the division of towns and counties.

Mr. Burnham presented the petition of inhabitants of Chenango and Delaware counties, for the incorporation of the Bainbridge Central Bridge Company, which was read and referred to the committee on roads and bridges.

Mr. Chamberlain presented the petition of inhabitants of Cattaraugus county, for a law authorizing the building of a bridge across the Allegany river, which was read and referred to the same committee.

Mr. Deyo presented the petition of inhabitants of Ulster county, to revive and alter the act to incorporate the Lachawac and Neversink Turnpike Company, which was read and referred to the same committee.

Mr. Hard presented four several petitions from citizens of Niagara county, for the incorporation of the Niagara Canal and Hydraulic Company, which were read and referred to the committee on commerce and navigation.

Mr. Spencer presented the memorial of the commissioners, for diverting the surplus waters of Black river to Sackett's Harbor, which was read and referred to the committee on grievances.

Mr. Van Schoonhoven presented three several petitions of citizens of Columbia and Rensselaer counties, for the passage of a law for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant in this State, which were severally read and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of a large number of citizens of Hamden, Delaware county, asking the passage of a law for the release from imprisonment of Silas Tompkins, Moses Earl, Edward O'Connor, John Van Steenbergh, and sixteen other persons, which was read and referred to the same committee.

Mr. Spencer presented the memorial of Horace Holden and others, members of the bar of the city of New-York, for repeal of the act of 1840, authorizing a stay of thirty days on judgments before execution can issue, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Emmons presented the remonstrance of one hundred and forty inhabitants of Pomfret, against the erection of the county of Schuyler, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Jones presented the resolutions passed at the annual town meeting of the town of Perryburgh, in favor of the erection of the new county of Schuyler, which were read and referred to the same committee of the whole.

Mr. Beers presented the petition of the stockholders of the Cayuga and Susquehannah Railroad Company, for an amendment of their charter, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Jones, from the committee on the division of towns and counties, to whom were referred sundry petitions for and remonstrances against the erection of the new town of Oregon, from Chatham, Austerlitz and Ghent, in Columbia county, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Porter, from the committee on finance, to whom was referred the petition of the collector and six other persons of Delaware county, for that purpose, asked for and obtained leave to report a bill entitled "An act to extend the time for the collection of taxes in the town of Hancock, in the county of Delaware," which was read the first time, and by unanimous consent was also read a second time, and

Mr. Porter moved

That said bill be ordered engrossed for a third reading.

Mr. Clark moved to recommit said bill with instructions, requiring the committee to report a general bill.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Clark	Mr. Scovil	
Mr. Burnham	Mr. Emmons	Mr. Wright	
Mr. Chamberlain	Mr. Jones	Mr. Young	9

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Spencer	
Mr. Deyo	Mr. Lott	Mr. Talcott	
Mr. Hand	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Hard	Mr. Porter	Mr. Williams	15

Thereupon,

Said bill was ordered to be engrossed for a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to incorporate the Young Men's Association for mutual improvement in the village of Fulton," which was ordered to a third reading.

Mr. Wright, from the select committee consisting of the Senators attending the Senate from the third Senate District, to whom was referred the bill entitled "An act to incorporate the Albany Gallery of Fine Arts," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Barlow, from a select committee, to whom was referred the communication of John McDonald, Esq., in relation to county expenses, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act to impose certain duties upon district attorneys," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[See Senate Document No. 76.]

Mr. Clark moved that 750 extra copies of said report be printed, which motion was referred to the committee on public printing.

Mr. Wright asked for and obtained leave for the select committee, on so much of the Governor's message as relates to leasehold estates, the complaints of tenants, and the remedies proposed therefor, &c., to sit this morning during the session of the Senate.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to extend the time for the collection of taxes in the town of Hancock, in the county of Delaware," which was ordered to a third reading.

Said bill was then by unanimous consent read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hard	Mr. Mitchell
Mr. Chamberlain	Mr. Johnson	Mr. Porter
Mr. Deyo	Mr. Jones	Mr. Talcott
Mr. Emmons	Mr. Lott	Mr. Williams
Mr. Hand		

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Denniston	Mr. Young
Mr. Clark	Mr. Lester	

5

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

A message was received from the Governor, informing that he had on the 4th inst., approved and signed the bill entitled "An act to amend the 'Act to punish the procurement of abortion and for other purposes,' passed May 13th, 1845."

The report of the Canal Commissioners on the petition of Peter J. Wagner, was received, read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 84.]

On motion of Mr. Lott,

The present and all intervening orders of business were laid on the table, and the Senate resolved itself into a committee of the whole on the bill from the Assembly entitled "An act to confirm the official acts of Isaac Jones, a justice of the peace," and after time spent thereon, Mr. President resumed the chair, and Mr. Lester, from said committee, reported that they had gone through the bill, and had made amendments thereto, and changing the title so as to read as follows: "An act to confirm the official acts of certain justices of the peace," which with the bill he was directed to report to the Senate, which report was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. Lott,

Said bill with the engrossed amendments was then read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

A bill was received from the Assembly for concurrence entitled "An act to prevent fires along the track of the Long-Island Railroad," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

On motion of Mr. Talcott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to change the time for the annual meetings of the board of supervisors of Oswego county," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the fifth Senate District, to consider and report complete.

On motion of Mr. Lester,

Resolved, That the select committee appointed to examine the reports made by surrogates in regard to their fees, be instructed to enquire into the propriety of the adoption of some additional provisions in relation to the powers vested in surrogates, to require executors and admin-

istrators to account, in cases where no application is made by or in behalf of any person interested; and that the said committee report by bill or otherwise.

The bill from the Assembly entitled "An act for the relief of John Moore," was read the third time and laid on the table.

The bill from the Assembly entitled "An act granting the consent of the State of New-York, to the purchase by the United States of certain lands for defensive works, and ceding jurisdiction over the same," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

A message was received from the Governor, informing that he had on the 4th inst., approved and signed the bill entitled "An act to amend the act passed April 18th, 1843, entitled 'An act in relation to the Croton water works in the city of New-York;'" also, that he had this day approved and signed the bill entitled "An act to provide for the public printing."

Mr. Hard, from the committee on public printing, to whom was this day referred the motion to print 750 extra copies of Mr. Barlow's report, reported in favor of said motion, which was agreed to by the Senate.

Thereupon,

Ordered, That 750 extra copies of said report be printed.

[Senate Document No. 76.]

Mr. Williams gave notice that he would at some future time ask leave to bring in a bill to extend the time for the collection of taxes in the town of Italy, in the county of Yates.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Mary Agnes Titus, Elizabeth Titus, Jane Titus, James Henry Titus, Martha Titus, Abial Titus, Ruth M. Baker, (the wife of John O. Baker,) Ann Eliza Kermit Whitaker, (the wife of Anthony B. A. Whitaker,) and William Philip Dean," and after some time spent thereon, Mr. President resumed the chair, and Mr. Scovil, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

By unanimous consent,

Mr. Young, from the committee on literature, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Lott presented the remonstrance of citizens of the town of Ellen-

burgh, in the county of Clinton, against the passage of an act to confirm the election and official acts of certain officers elected at a special town meeting in said town, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Beers asked for and obtained leave of absence for six days from to-morrow.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act for the relief of Patrick Cooney," and after some time spent thereon, Mr. President resumed the chair, and Mr. Talcott, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to confirm the official acts of Amzi Doolittle, as a justice of the peace," and after some time spent thereon, Mr. President resumed the chair, and Mr. Beers, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to confirm the official acts of Henry Ragan, while acting as a justice of the peace," and after some time spent thereon, Mr. President resumed the chair, and Mr. Clark, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which were agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act for the relief of George I. E. Lasher," and after some time spent thereon, Mr. President resumed the chair, and Mr. Burnham, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act for the relief of Westfall May and others," and after some time spent thereon, Mr. President resumed the chair, and Mr. Emmons, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, with an amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

By unanimous consent, Mr. Hard offered the following resolution, which was laid on the table, to wit:

Resolved, That it is inexpedient for this Legislature in granting charters to companies for manufacturing purposes, to require as a condition to such grant, a provision making each individual stockholder personally liable for all the debts contracted by such corporation, and that the committee on manufactures of the Senate, are hereby instructed in reporting charters for such companies, to omit such personal liability clause.

The Senate then resolved itself into a committee of the whole on the

bill entitled "An act for the relief of Jannot C. Shippy," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the estate of James Dobbin, deceased," and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee, reported progress, and asked for and obtained leave to sit again.

Thereupon,

Ordered, That the usual number of copies of the last will and testament of said James Dobbin, deceased, be printed.

[*See Senate Document No. 80.*]

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., MARCH 6, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lindsey.

The minutes of yesterday having been read and approved,

Mr. Van Schoonhoven presented three several petitions from citizens of Albany and Columbia counties, for the relief of convicts imprisoned for offences growing out of the relation of landlord and tenant in this State, which were read and referred to the committee on the judiciary.

Mr. Denniston presented the petition of citizens of Orange county, for a law reducing the width of the New-Windsor and Cornwall Turnpike Road, to a chord of sixteen feet, which was read and referred to the committee on roads and bridges.

Mr. Van Schoonhoven presented the petition of Mary Warren and other citizens of Troy, for the incorporation of a free school in said city by the name of "the Warren Free Institute," which was read and referred to the committee on charitable and religious societies.

Mr. Sanford presented the memorial of trustees of the Seamen's Fund and Retreat, to discharge them from certain claims of the commissioners of health, which was read and referred to the same committee.

Mr. Talcott presented the petition of Sherlock S. Gregory, a citizen of Rensselaer county, praying for a grant from the State treasury of a sum of money sufficient to pay for the gratuitous distribution of one

million or more copies of certain books therein specified, which was read and referred to the committee on finance.

Mr. Chamberlain presented the remonstrance of the town of Farmersville, remonstrating against any division of Cattaraugus county, which was read and referred to the committee of the whole, when upon the bill to erect the county of Conewango.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made suable in justice's courts, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Hard presented the petition of citizens of Jefferson and other counties, asking that the Senate come to order and proceed to do the public business and let private matters be settled out of the Senate, and at private expense, which was read and laid on the table.

Mr. Beekman, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to prevent fires along the track of the Long-Island Railroad," reported in favor of the passage thereof, which was committed to a committee of the whole.

By unanimous consent,

Mr. Lott, in behalf of Mr. J. B. Smith, presented the petition of inhabitants of Suffolk county, in favor of the passage of said bill, which was read and referred to the same committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom were referred sundry petitions for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Bainbridge Central Bridge Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Jackson Verein in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the said last two mentioned bills respectively, be printed.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed six several bills of the following titles, to wit: "An act for the relief of Mary Agnes Titus, Elizabeth Titus, Jane Titus, James Henry Titus, Martha Titus, Abial Titus, Ruth M. Baker, (the wife of John O. Baker,) Ann Eliza Kermit Whitaker, (the wife of Anthony B. A. Whitaker,) and William Philip Dean;" also "An act for the relief of George J. E. Lasher;" also "An act to confirm the official acts of Henry Ragan, while acting as a justice of the peace;" also "An act for the relief of Patrick Cooney;" also "An act for the relief of Jannot C. Shippy;" also "An act to incorporate the Albany Gallery of the Fine Arts," which were severally ordered to a third reading.

Mr. Lester, from the same committee, reported as correctly engros-

ed the bill entitled "An act for the relief of Westfall May and others," which was laid on the table.

A bill was received from the Assembly entitled "An act granting the consent of the State of New-York, to the purchase by the United States of certain lands for defensive works, and ceding jurisdiction over the same," with a message, informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

The said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

On motion of Mr. Hard,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That it is inexpedient for this Legislature in granting charters to companies for manufacturing purposes, to require as a condition to such grant, a provision making each individual stockholder personally liable for all the debts contracted by such corporation, and that the committee on manufactures of the Senate, are hereby instructed in reporting charters for such companies, to omit such personal liability clause.

Debates being had but without taking the question thereon, Mr. Johnson moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Johnson
Mr. Jones

Mr. Porter
Mr. Sanford

Mr. Talcott
Mr. Williams

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FOR THE NEGATIVE.

Mr. Barlow
Mr. Beers
Mr. Chamberlain
Mr. Clark

Mr. Emmons
Mr. Hand
Mr. Hard
Mr. Lester

Mr. Lott
Mr. Mitchell
Mr. Scovil
Mr. Young

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Further debates being had but without taking the question thereon, said resolution was laid on the table.

Mr. Williams, pursuant to notice, asked for and obtained leave to bring in a bill entitled "An act to extend the time for the collection of taxes in the town of Italy, in the county of Yates," which was read the first time, and by unanimous consent was also read a second time, and,

On motion of Mr. Williams,

Said bill was ordered to be engrossed for a third reading.

The annual report of the Schenectady Savings Bank was received, read and laid on the table.

The hour of twelve having arrived, the Senate passing by sundry bills without prejudice, resolved itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of the minor heirs of James Thompson, deceased," and after some time spent thereon, Mr. President resumed the chair, and Mr. Beekman, from said committee, reported that they had gone through the bill, had made amendments thereto, which with the bill he was directed to report to the Senate, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to extend the time for the collection of taxes in the town of Italy, in the county of Yates," which was ordered to a third reading.

On motion of Mr. Williams,

Said bill was then read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The report of the Comptroller upon the petition of E. Murdock, for relief, referred to him, was received, read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 77.]

On motion of Mr. Clark,

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Jones,

Ordered, That said bill be made the special order of the day for tomorrow morning at 11 o'clock.

On motion of Mr. Hand,

Ordered, That the usual number of copies of the amendments offered to said bill in committee of the whole, by Mr. Porter and Mr. Clark, be printed.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to extend the time for the collection of taxes in the town of Italy, in the county of Yates," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled "An act in relation to the city of Troy," which was read the first time, and

by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., MARCH 7, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Meyer.

The minutes of yesterday having been read and approved,

Mr. Barlow presented the petition of inhabitants of Fulton, Oswego county, for an amendment of the law providing for the distribution or sale of the Natural History of the State, which was read and referred to the committee on literature.

Mr. Backus presented the memorial of Lardner Vanuxem, one of the State Geologists, which was read and referred to the committee on literature.

Mr. Talcott presented the remonstrance of inhabitants of Oswego county, against par redemptions, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Backus presented a similar remonstrance from citizens of the city of Rochester, which was read and referred to the same committee of the whole.

Mr. Spencer presented the petition of sundry inhabitants of the county of Fulton, for an act to incorporate a Mutual Insurance Company in said county, which was read and referred to the committee on banks and insurance companies.

Mr. Denniston presented the petition of citizens of Orange county, that the Great Island Turnpike Company, may have authority to reduce the width of their road so that the chord of the arc may be sixteen feet; also a remonstrance of citizens of Orange county, against the same, which were severally read and referred to the committee on roads and bridges.

Mr. Spencer presented the petition of sundry inhabitants of the county of Oneida, for an act to incorporate a company to construct a railroad from Schenectady to Catskill, which was read and referred to the committee on railroads.

Mr. Emmons presented the petition of R. H. Northrup and others, in relation to the Albany Mayor's Court, which was read and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented three several petitions of citizens of Columbia county, for the relief of convicts imprisoned on account of

offences growing out of the relation of landlord and tenant in this State, which were read and referred to the same committee.

Mr. Sanford presented three several petitions of Episcopal inhabitants of the city of New-York, for the repeal or amendment of the act of January 25, 1814, relative to Trinity Church in that city, which were read and referred to the committee on charitable and religious societies.

Mr. Jones presented copies of four several resolutions passed at the annual town meetings of the towns of Hanover, Sheridan, Brandt and Arkwright, in favor of the new county of Schuylcr, which were severally read and referred to the committee of the whole, when upon the bill for that purpose.

Mr. Mitchell, from the committee on grievances, to whom was referred the petitions respectively of John Ferris and Thomas Marvin, for relief, asked for and obtained leave to report a bill entitled "An act for the relief John Ferris and Thomas Marvin," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole

Ordered, That the usual number of copies of said bill be printed.

Mr. Deyo, from the committee on roads and bridges, to whom was referred the petition of citizens of Orange county, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall Turnpike Company,' passed March 30, 1809," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Second Senate District, to consider and report complete.

Mr. Backus, from the committee on medical societies and medical colleges, to whom was referred the petition of John D. Russ, of the city of New-York, for that purpose made a written report thereon, and asked for and obtained leave to report a bill entitled "An act providing for a registry of births, marriages and deaths," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last mentioned bill and report respectively, be printed.

[See Senate Document No. 81.]

Mr. Burnham, from the committee on roads and bridges, to whom was referred the petition of inhabitants of Cattaraugus county, for that purpose, asked for and obtained leave to report a bill entitled "An act to provide for building a bridge across the Allegany river, in the town of Burton, in the county of Cattaraugus, near the five mile run," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Chamberlain,

Said bill was ordered to be engrossed for a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the petition of sundry inhabitants of Yates and

Steuben counties, in relation to the circulation of the Safety Fund Banks, reported against the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

On motion of Mr. Hard,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That it is inexpedient for this Legislature, in granting charters to companies for manufacturing purposes, to require, as a condition for such grant, a provision making each individual stockholder personally liable for all the debts contracted by such corporation ; and that the committee on manufactures of the Senate are hereby instructed, in reporting charters for such companies, to omit such personal liability clause,

Mr. Johnson moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Jones	Mr. Sanford
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Mitchell	Mr. Williams
Mr. Hand	Mr. Porter	Mr. Young
Mr. Johnson		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Clark	Mr. Scovil
Mr. Burnham	Mr. Emmons	Mr. Spencer
Mr. Chamberlain	Mr. Hard	

8

The engrossed bill entitled "An act to incorporate the Albany Gallery of the Fine Arts," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Williams
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo	Mr. Porter	

23

FOR THE NEGATIVE.

Mr. Lester

1

The engrossed bill entitled "An act for the relief of Mary Agnes Titus, Elizabeth Titus, Jane Titus, James Henry Titus, Martha Titus, Abiel Titus, Ruth M. Baker, (the wife of John O. Baker,) Ann Eliza Kermit Whitaker, (the wife of Anthony B. A. Whitaker,) and William Philip Dean," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Hand	Mr. Scovil
Mr. Beekman	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lester	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Williams
Mr. Deyo	Mr. Mitchell	Mr. Young

24

The engrossed bill entitled "An act to incorporate the Board of Foreign Missions of the Presbyterian Church of the United States of America," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Folsom	Mr. Scovil
Mr. Beekman	Mr. Hand	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Talcott
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Lott	Mr. Williams
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo		

26

FOR THE NEGATIVE.

Mr. Lester

1

The engrossed bill entitled "An act to incorporate the Young Men's Association for mutual improvement, in the village of Fulton," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Emmons		

25

FOR THE NEGATIVE.

Mr. Lester

1

Five several engrossed bills with the following titles, to wit: "An act for the relief of Patrick Cooney;" also "An act for the relief of George J. E. Lasher;" also "An act to confirm the official acts of Henry Ragan, while acting as a justice of the peace;" also "An act to annex the towns of Eagle, Pike, and a part of Portage, to the county of Wyoming;" and also "An act for the relief of Jannot C. Shippy," were severally read the third time and passed.

Ordered, That the Clerk deliver the said last nine mentioned bills to the Assembly, and request their concurrence in the same respectively.

The President put the question on the final passage of the bill from the Assembly entitled "An act for the relief of John Moore," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Folsom	Mr. Scovil
Mr. Beekman	Mr. Hand	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lester	Mr. Van Schoonhoven
Mr. Denniston	Mr. Lott	Mr. Williams
Mr. Deyo	Mr. Mitchell	

26

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act for the relief of the minor heirs of James Thompson, deceased," with the engrossed amendments was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to provide for building a bridge across the Allegany river in the town of Burton, in the county of Cattaraugus, near the Five mile run," which was ordered to a third reading.

By unanimous consent,

Mr. Jones offered the following concurrent resolution which was laid on the table, to wit:

Resolved, (if the Assembly concur,) That the trustees of the State Library be requested, under the authority vested in them by section four of chapter two hundred and fifty-five, of the laws of 1844, to procure the several library rooms to be carpeted in a suitable manner, and at such time as the same may be conveniently done.

A message was received from the Assembly, announced by Mr. Stevenson and Mr. Worden, informing that the Assembly had elected the Hon. A. G. Chatfield, Speaker, pro tempore, during the temporary absence of the Speaker.

The Senate then again pursuant to order resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction and to the bonds of auctioneers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee reported progress, and asked for and obtained leave to sit again.

Thereupon,

Ordered, That said bill be made the special order of the day for Tuesday morning next at 11 o'clock.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to extend the time for the collection of taxes in the town of Hancock, in the county of Delaware," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Afterwards,

A message was received from the Governor, informing that he had this day approved and signed said last mentioned bill; also the bill entitled "An act to extend the time for the collection of taxes in the town of Italy, in the county of Yates."

The Senate then again resolved itself into a committee of the whole, on the several concurrent resolutions in relation to Texas, Oregon, &c. and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled "An act for the relief of John O. Frazee, Julius C. Foster and Benjamin Frazee," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Patrick Fitzsimmons and James Brady," which was read the first time, and by unanimous consent was also read a second time, and committed to the same committee.

A bill was received from the Assembly for concurrence entitled "An act to authorize the Canal Board to assume in behalf of the State the

Dansville slip and basin," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled "An act to amend the law in relation to common schools," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 9, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The minutes of Saturday having been read and approved,

Mr. Sanford presented two several memorials of Episcopal inhabitants of the city of New-York, asking the repeal or amendment, of the act of January 25, 1814, relative to Trinity church in that city, which were read and referred to the committee on charitable and religious societies.

Mr. Spencer, presented the remonstrance of sundry Indians, residing on the Oneida reservation, against the passage of a law to bring them under the same regulation as white people, which was read and referred to the committee on Indian affairs.

Mr. Talcott presented the petition of inhabitants of Oswego county, for the completion of the Oneida river improvement, which was read and referred to the committee on canals.

Mr. Folsom presented the petition of Edwin B. Strange, an alien for the right to take, hold and convey real estate; also the petition of Peter Schermerhorn and others for the same purpose, which were read and referred to the committee on grievances.

Mr. Wheeler presented the petition of inhabitants of Randolph, Cattaraugus county, for the division of that town, &c., which was read and referred to the committee on the division of towns and counties.

Mr. Lester presented the remonstrance of inhabitants of Ontario county, against the application of the Auburn and Rochester Railroad Company, which was read and referred to the select committee, having in charge the bill to which it relates.

Mr. Wheeler presented the petition of inhabitants of Little Valley in Cattaraugus county, for a law authorizing a bridge over the Allegany river, in the town of Burton which was read and laid on the table.

Mr. Wheeler presented the petition of Seth Lockwood and others, of Hinsdale, Cattaraugus county, to confirm the execution by said Lockwood of his official bond as a justice of the peace, which was read and laid on the table.

Mr. Wheeler presented the affidavits of the publication of the notices for the county of Schuyler; also three several petitions of inhabitants of the towns of Westfield, Pomfret and Arkwright, for the erection of said county, which were severally read and referred to the committee of the whole, when upon the bill to which they relate.

Mr. Emmons presented two several remonstrances of inhabitants of Chautauque county; also copies of three several resolutions passed at the town meetings in the towns of Chautauque, Pomfret and Busti, against the division of the county of Chautauque, which were severally read and referred to the same committee of the whole.

Mr. Wheeler presented four several petitions of inhabitants of the towns of Conewango and Randolph, for the erection of the county of Conewango; also Alvin Crowley's affidavit relative to the same; also copies of resolutions passed at town meetings, in the towns of Napoli and Carrol, in favor of said new county, which were severally read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. S. Smith presented the petition of Walter S. Crawford and others of the town of Westchester, for a division of that town, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Chamberlain presented the remonstrance of inhabitants of Livingston county, against par redemptions, in New-York or Albany, which was read and referred to the committee of the whole, when upon the bill on that subject.

Mr. Chamberlain presented the petition of Jacob Gould, and six hundred and twenty other citizens of the city of Rochester for a charter for the purpose of manufacturing cotton and woolen goods in said city, without the personal liability clause, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Spencer presented the petition of sundry citizens of Oneida county, for the repeal of the law staying the issue of execution for thirty days after judgment, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Johnson, from the committee on claims, to which were referred the petitions and papers relating to the claim of Ebenezer Murdock for relief, asked for and obtained leave to report a bill entitled "An act for the relief of Ebenezer Murdock," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Lester, from the committee on banks and insurance companies, to which was referred the bill from the Assembly entitled "An act to change the corporate name of the Mutual Insurance Company of the city of New-York, and to reduce its capital," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Denniston from the select committee consisting of the Senators attending the Senate from the second Senate district, to which was referred the bill from the Assembly entitled "An act to amend an act to incorporate the New-Windsor and Cornwall Turnpike Company,"

passed March 30, 1809, to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Tallcott, from the select committee consisting of the Senators attending the Senate from the fifth Senate district, to which was referred the bill entitled "An act to change the time for the annual meetings of the board of supervisors of Oswego county," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled "An act to extend the jail liberties of the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the election of superintendents of the poor and other officers, by the people in the county of Onondaga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the canal commissioners to increase the size of the side lock at the village of Tonawanda, when rebuilding the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

On motion of Mr. Williams,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh," and that the same be referred to the committee on literature, to consider and report complete.

Mr. Williams moved that the bill entitled "An act to amend the charter of the Canandaigua and Corning Railroad Company," be made the special order of the day for Monday next, at twelve o'clock at noon.

Mr. President put the question on agreeing to said motion and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Sanford
Mr. Barlow	Mr. Emmons	Mr. S. Smith
Mr. Beers	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Williams
		Mr. Wright

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FOR THE NEGATIVE.

Mr. Hand	Mr. Jones	Mr. Porter
Mr. Johnson	Mr. Lester	

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A communication from the rector, church wardens and vestrymen of Trinity Church in the city of New-York, answering the resolution of the Senate of the 5th day of February, ult., was received and referred to the committee on charitable and religious societies.

On motion of Mr. Porter,

Ordered, That the usual number of copies of said communication be printed.

[*See Senate Document No. 86.*]

Mr. Johnson moved that the bill entitled "An act to amend the act entitled 'An act to enforce the laws and preserve order,' passed April 14, 1845," be made the special order for Wednesday next, at 12 o'clock, M.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Eminons	Mr. S. Smith
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Mitchell	Mr. Wheeler
Mr. Chamberlain	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sanford	Mr. Wright
Mr. Deyo		

19

FOR THE NEGATIVE.

Mr. Clark	Mr. Hand	Mr. Lester
Mr. Folsom	Mr. Jones	Mr. Scovil

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Mr. Wheeler moved that the bill entitled "An act to erect the county of Conewango," be made the special order of the day for to-morrow morning at 11 o'clock, and that the bill entitled "An act to erect the county of Schuyler," be made the special order of the day for Wednesday morning next at 11 o'clock, A. M.

Mr. Hard moved that the consideration of said bills be postponed to the first Tuesday of June next.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Johnson
Mr. Beers	Mr. Folsom	Mr. Porter
Mr. Chamberlain	Mr. Hard	Mr. Scovil

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passed March 30, 1809, to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Tallcott, from the select committee consisting of the Senators attending the Senate from the fifth Senate district, to which was referred the bill entitled "An act to change the time for the annual meetings of the board of supervisors of Oswego county," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled "An act to extend the jail liberties of the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the election of superintendents of the poor and other officers, by the people in the county of Onondaga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the canal commissioners to increase the size of the side lock at the village of Tonawanda, when rebuilding the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

On motion of Mr. Williams,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh," and that the same be referred to the committee on literature, to consider and report complete.

Mr. Williams moved that the bill entitled "An act to amend the charter of the Canandaigua and Corning Railroad Company," be made the special order of the day for Monday next, at twelve o'clock at noon.

Mr. President put the question on agreeing to said motion and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Sanford
Mr. Barlow	Mr. Emmons	Mr. S. Smith
Mr. Beers	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Williams
		Mr. Wright

19

FOR THE NEGATIVE.

Mr. Hand	Mr. Jones	Mr. Porter
Mr. Johnson	Mr. Lester	

5

A communication from the rector, church wardens and vestrymen of Trinity Church in the city of New-York, answering the resolution of the Senate of the 5th day of February, ult., was received and referred to the committee on charitable and religious societies.

On motion of Mr. Porter,

Ordered, That the usual number of copies of said communication be printed.

[See Senate Document No. 86.]

Mr. Johnson moved that the bill entitled "An act to amend the act entitled 'An act to enforce the laws and preserve order,' passed April 14, 1845," be made the special order for Wednesday next, at 12 o'clock, M.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Eminons	Mr. S. Smith
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Mitchell	Mr. Wheeler
Mr. Chamberlain	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sanford	Mr. Wright
Mr. Deyo		

19

FOR THE NEGATIVE.

Mr. Clark	Mr. Hand	Mr. Lester
Mr. Folsom	Mr. Jones	Mr. Scovil

6

Mr. Wheeler moved that the bill entitled "An act to erect the county of Conewango," be made the special order of the day for to-morrow morning at 11 o'clock, and that the bill entitled "An act to erect the county of Schuyler," be made the special order of the day for Wednesday morning next at 11 o'clock, A. M.

Mr. Hard moved that the consideration of said bills be postponed to the first Tuesday of June next.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Johnson
Mr. Beers	Mr. Folsom	Mr. Porter
Mr. Chamberlain	Mr. Hard	Mr. Scovil

9

FOR THE NEGATIVE.

Mr. Barlow	Mr. Lester	Mr. Van Schoonhoven
Mr. Burnham	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Sanford	Mr. Williams
Mr. Deyo	Mr. Spencer	Mr. Wright
Mr. Hand	Mr. Talcott	

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Mr. President put the question on agreeing to Mr. Wheeler's motion, and it was decided in the affirmative.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall Turnpike Company,' passed March 30, 1809," which was ordered to a third reading.

The hour of 11 having arrived, and the special orders of the day being announced, Mr. Lott moved that the Senate resolve itself into a committee of the whole on the bill entitled "An act to reduce the salaries of certain officers of this State."

Mr. Porter moved to amend said motion by substituting the bill entitled "An act to reduce the salaries of the clerks of the supreme court, and of the register, assistant register and clerks in chancery."

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Johnson	Mr. S. Smith	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wright
Mr. Folsom	Mr. Scovil	

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Mr. President then put the question on agreeing to Mr. Lott's said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to reduce the salaries of certain officers of this State," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Lott,

Ordered, That the usual number of copies of the amendments offered to said bill in committee of the whole, be printed.

On motion of Mr. Wright,

Resolved, That the Attorney-General report to the Senate what sum he has charged or claims from the State, for attending the argument of the cause in the supreme court of the United States, during the present year, in relation to the tax on passengers, if the sum charged has been paid, that he report the sum so paid to him.

Ordered, That the Clerk deliver a copy of said resolution to the Attorney-General.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to change the time for the annual meetings of the board of supervisors of Oswego county," which was ordered to a third reading.

On motion of Mr. Chamberlain,

The engrossed bill entitled "An act to provide for building a bridge across the Allegany river, in the town of Burton, in the county of Cattaraugus, near the Five mile run," was read the third time and laid on the table.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to confirm the proceedings of the town meeting held in the town of Southfield, in the county of Richmond;" also "An act to confirm the election and official acts of the town officers of the town of Ossinsing, in the county of Westchester, and for other purposes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to change the name of Augusta Smith to Augusta Eliza French," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled "An act to erect the town of Wright, in the county of Schoharie," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

The report of the agent of the Auburn State Prison, answering a resolution of the 3d inst., relative to the earnings of the convicts, was received; read and referred to the committee on State Prisons.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 88.]

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 10, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The minutes of yesterday having been read and approved,

Mr. Talcott presented the petition of inhabitants of Oswego county, for the relief of A. D. Herrington, Ansel Brown and Edwin Brown, which was read and referred to the committee on claims.

Mr. Van Schoonhoven presented two several petitions of citizens of Columbia county, for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant in this State, which was read and referred to the committee on the judiciary.

Mr. Spencer presented resolutions of Augusta in town meeting, remonstrating against the erection of the county of Bronson, from parts of the counties of Oneida and Madison, which was read and referred to the committee on the division of towns and counties.

Mr. Spencer presented copies of resolutions passed at town meetings in the towns of Arkwright, Sheridan, Brandt and Hanover, respectively, in favor of the erection of the county of the Schuyler, which were severally read and referred to the committee of the whole, having in charge the bill to which they relate.

Mr. Hard presented the resolution of inhabitants of the town of French-Creek, against any division of Chautauque county, which was read and referred to the same committee of the whole.

Mr. Emmons presented the remonstrance of the provision and commission merchants of Buffalo and others, against the Senate bill to prevent frauds in inspections in the county of Erie, which was read and referred to the committee of the whole, having in charge said bill.

Mr. Hand presented affidavits of publication relative to slackwater navigation, which were read and referred to the committee of the whole, having in charge the bill to authorize the construction of a railroad, &c. from Lake Champlain to Oneida county.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to extend the goal liberties of the city and county of New-York," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Folsom, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to amend the law in relation to common schools," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to change the name of Augusta Smith to Augusta Eliza French," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Denniston, from the committee on canals, to whom was referred the petition of Stephen Warren and others, of Troy, that the Canal Commissioners be empowered to repair the locks at the eastern ter-

mination of the Erie canal opposite that city, reported adverse to the prayer of the petitioners, which was laid on the table.

Mr. Johnson, from the committee on claims, to whom was referred the petition of Asa T. Smith, for relief, reported in writing adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 83.]

Mr. Porter offered the following resolution,

Resolved, That the Senate will hold an afternoon session on and after to-morrow, to commence at half past three o'clock.

Mr. Talcott moved to amend said resolution by striking out the words "to-morrow," and inserting instead thereof the words "Monday next."

Mr. Lester moved to lay the whole subject on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Lester	Mr. Van Schoonhoven
Mr. Deyo	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Mitchell	Mr. Wright
Mr. Hand	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Beers	Mr. Porter	Mr. Talcott
Mr. Folsom	Mr. S. Smith	Mr. Williams
Mr. Jones		

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Mr. Jones asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the State Library," which was read the first time, and by unanimous consent was also read a second time, and referred to the joint library committee.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the reconstruction and alteration of the highway from the village of Herkimer to Middleville," and said bill was referred to a select committee to consist of the Senators attending the Senate from the Fourth Senate District, to consider and report complete.

On motion of Mr. Hard,

Resolved, That the bill to authorize the New-York and New-Haven

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Railroad Company to extend their railroad from the Connecticut line to the Harlem Railroad, be made the special order for Monday, the 23d instant, at 11 o'clock, A. M.

On motion of Mr. Porter,

The bill entitled "An act to repeal the act entitled 'An act to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843,' and the act to amend the same, passed March 7, 1845, and for other purposes," was made the special order of the day for Tuesday morning next, at 11 o'clock.

On motion of Mr. Beers,

Resolved, That the bill to amend the charter of the Cayuga and Susquehannah Railroad Company, be made a special order for Tuesday next, at 11 o'clock.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to provide for building a bridge across the Allegany river, in the town of Burton, in the county of Cattaraugus, near the Five mile run," and the same was passed.

The engrossed bill entitled "An act to change the time for the annual meetings of the board of supervisors of Oswego county," was read the third time and passed.

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall Turnpike Company, passed March 30, 1809,'" was read a third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Emmons		

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Ordered, That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence in the same, respectively.

A communication was received from the chief justice of the supreme court, and read in the words following, to wit:

Albany, March 10th, 1846.

TO THE PRESIDENT OF THE SENATE.

SIR:

In pursuance of a resolution of the Senate, I submit herewith, a report in relation to the publication of notices in the State paper. As the chancellor while in town was engaged in holding his court, I had but little opportunity to confer with him on the subject of the reference.

It is believed, however, that his views do not differ essentially from those which I have expressed. If he does not sooner find time to do it, he will probably make a communication to the Senate after seeing this report.

I am, very respectfully,

And truly yours,

GREENE C. BRONSON.

On motion of Mr. Lott,

Ordered, That said report be referred to the committee on the judiciary, and that the usual number of copies thereof, be printed.

[*See Senate Document No. 85.*]

The Senate then again resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee, reported that they had gone through the bill, and had made certain amendments thereto, which with the bill he was directed to report to the Senate, which report was laid on the table.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to erect the county of Conewango," and after some time spent thereon, Mr. President resumed the chair, and Mr. Scovil, from said committee, reported progress, and asked for and obtained leave to sit again.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to repeal an act for the preservation of trout in the Owasco lake," passed April 23d, 1844; also "An act to authorize E. G. Rawson Smith to change his name;" also "An act for the preservation of game in the county of Saratoga," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled "An act to provide for the support of the poor in the county of Otsego, in and by the towns in the said county in which such poor shall have settlements," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to amend the charter of the Gilboa and Potter's Hollow Turnpike Road Company;" also "An act to authorize the inhabitants of the town of Poughkeepsie, to elect path masters in their several road districts;" also "An act to repeal the act entitled 'An act to improve the post road running from the Elephant Hotel, in the town of Somers, to the village of Peekskill, passed May 13th, 1845,' and for other purposes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to confirm the official acts of of James G. Lynde, a justice of the peace;" also "An act in relation to the office of district attorney of the county of Schoharie;" also "An act concerning the district attorney and treasurer of the county of Kings," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act relative to assessors in the town of Newburgh, in the county of Orange," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on privileges and elections.

The report of the Lewiston Railroad Company as to the names and residences of their stockholders, in answer to a resolution of the Senate, was received, read and referred to the committee on railroads, and the question of printing the same laid on the table.

The Surveyor-General's report in answer to the resolution of the Senate of the 3d instant, of a statement of the lands owned by the State, lying within 15 miles of the proposed new route for a railroad and slack water navigation, recently surveyed by professor Benedict, was received, read and referred to the committee of the whole, having in charge the bill to which it relates.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 88.]

By unanimous consent,

Mr. Jones, from the joint library committee, to whom was referred the bill entitled "An act in relation to the State Library," reported in favor of the passage thereof, which was laid on the table.

On motion of Mr. Spencer,

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their railroad from the Connecticut line to the New-York and Harlaem Railroad," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Van Schoonhoven,

Resolved, That a respectful message be transmitted by the Clerk of the Senate to the Assembly, requesting that all remonstrances and papers relating to the proposed amendment of an act entitled "An act to incorporate the Phoenix Bridge Company," passed April 17th, 1830, now pending before the Senate, be taken from the files of the Assembly and transmitted to this body.

Mr. Scovil offered the following resolution:

Resolved, That the Commissioners of the Canal Fund be requested to report to the Senate, a list of the names of persons who were paid in full for services on the 20th of September last, and on the 13th and

18th of October last, by the Superintendent of the Erie Canal, at Syracuse, with a copy of the oath, if any, by which the ~~services~~ of the persons so paid was verified, and also a copy of the abstract and affidavit of vouchers for expenditures made by the said Superintendent, on or about the 11th day of July last, and certified by the Commissioners on the 16th of July aforesaid.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Hard	Mr. Scovil
Mr. Clark	Mr. Lester	Mr. Sedgwick
Mr. Denniston	Mr. Lott	Mr. Sanford
Mr. Deyo	Mr. Mitchell	Mr. Talcott
Mr. Emmons	Mr. Porter	Mr. Wheeler
Mr. Folsom		

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A quorum of the Senate not voting thereon,

Mr. Sedgwick moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Folsom	Mr. Mitchell	Mr. Sanford
Mr. Lott	Mr. Sedgwick	

5

FOR THE NEGATIVE.

Mr. Burnham	Mr. Emmons	Mr. Talcott
Mr. Clark	Mr. Lester	Mr. Wheeler
Mr. Denniston	Mr. Scovil	

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On motion of Mr. Denniston,

The vote on the last question was reconsidered.

Thereupon, by unanimous consent,

On motion of Mr. Wheeler,

The bill to erect the county of Conewango, was made the special order for to-morrow morning at 11 o'clock.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 11, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The minutes of yesterday having been read and approved,

Mr. Sedgwick presented the petition of E. W. Curtis, town superintendent of common schools of Salina, for a law in relation to the alteration of school districts, which was read and referred to the committee on literature.

Mr. Scovil presented the petition of inhabitants of Jefferson county, for an appropriation for the completion of the Black River canal, which was read and referred to the committee on canals.

Mr. Porter presented the petition of citizens of Phelps, Ontario county, for a law in aid of the Auburn and Rochester Railroad Company, which was read and referred to the select committee having in charge the bill to which it relates.

Mr. Lester presented the remonstrance of inhabitants of Ontario county, against the same, which was read and referred to the same select committee.

Mr. Spencer presented the petition of sundry inhabitants of Pittsfield, Otsego county, for the passage of a law relating to the poor of the town, which was read and referred to the committee on the poor laws.

Mr. Backus presented the petition of the president and directors of the Bank of Rochester, for a law to enable the directors of said bank to appoint three trustees to settle up the affairs of said institution, which was read and referred to the committee on banks and insurance companies.

Mr. Van Schoonhoven presented four several petitions of inhabitants of Albany, Columbia and Rensselaer counties, for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant in this State, which were severally read and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of Ambrose Leland and others, asking a law extending the jurisdiction of justice of the peace to all cases of demands amounting to the sum of one hundred dollars, whether arising upon account, covenant or otherwise, which was read and referred to the same committee.

Mr. Emmons presented a resolution of Portland, Chautauque county, against any division of that county, which was read and referred to the committee of the whole, having in charge the bill to erect the county of Conewango.

Mr. Folsom presented the petition of Wm. B. Jackson and others, of the city of New-York, in favor of a charter for a railroad from Catskill to Schenectady, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Johnson presented the petition of inhabitants of Greene county, for the same, which was read and referred to the same committee.

Mr. Folsom, from the committee on literature, to whom was referred the bill entitled "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the election and official acts of the town officers of the town of Ossinsing, in the county of Westchester, and for other purposes," reported in writing in favor of the passage of said bill without amendment.

Thereupon,

On motion of Mr. J. B. Smith,

Said bill was ordered to a third reading.

Ordered, That the usual number of copies of said report be printed.

[*Senate Document No. 76.*]

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of James G. Lynde, a justice of the peace," reported adverse to the passage thereof, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act concerning the district attorney and treasurer of the county of Kings," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the petition of E. W. Curtis, town superintendent of common schools of Salina, for that purpose, asked for and obtained leave to report a bill entitled "An act in relation to the dissolution of common school districts," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Sedgwick,

Said bill was recommitted to the committee on literature, to consider and report complete.

A message was received from the Assembly transmitting to the Senate pursuant to their request, certain papers in relation to the renewal of the charter of the Phoenix Bridge Company, which said papers were read and referred to the committee of the whole, having in charge the bill to which they relate.

A copy of a resolution was received from the Assembly and read in the words following, to wit:

Resolved, (if the Senate concur,) That a committee of one from the Senate and four from this House, proceed to examine the Clinton County Prison, and report whether the appropriation asked for is necessary, which resolution was laid on the table.

Copies of certain resolutions were received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That it be recommended to the

Senators and Representatives of the State of New-York, in the Congress of the United States, to use their best efforts to procure the passage of a law, during the present session of Congress, that will regulate and establish the pilot system of the United States upon equitable and proper principles, securing to the citizens of each State their just rights, and establishing in each State a board for the examination of all pilots before they shall be permitted to enter upon the duties of so important an office.

Resolved, (if the Senate concur,) That in case so desirable an object can not be effected, that they endeavor to procure the passage of a law giving to each State the power to pass laws for the appointment and regulation of the pilots for themselves.

Which resolutions were referred to the committee on commerce and navigation.

The report of the Regents of the University, relative to the condition of the cabinets of the Natural History, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 91.]

Mr. Folsom moved that two hundred and fifty extra copies of said report, for the Legislature and fifty extra copies thereof for the Regents, be printed, which motion was referred to the committee on public printing.

Mr. Sedgwick, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act to provide for the election of superintendents of the poor and other officers by the people, in the county of Onondaga," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act in relation to the office of district attorney of the county of Schoharie," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Backus asked for and by unanimous consent obtained leave to bring in a bill entitled "An act for the settlement of the affairs of the Bank of Rochester," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Sanford asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the New-York Equitable Insurance Company," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Sanford,

The said bill was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Lott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to extend the jail liberties of the city and county of New-York," and the same to a third reading.

On motion of Mr. Lester,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to judgments and executions," and that the same be engrossed for a third reading.

On motion of Mr. Talcott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the common schools in the village of Rome," and that the same be engrossed for a third reading.

On motion of Mr. Spencer,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Ebenezer Murdock," and that the same be engrossed for a third reading.

On motion of Mr. Beekman,

Ordered, That the bill entitled "An act to amend an act entitled 'An act in relation to the appointment of the superintendents of the poor in the county of Westchester, and for other purposes,'" and all other bills on the general orders in relation to the poor laws, be made the special order for Wednesday 18th of March inst., at 11 A. M.

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America," and that the same be referred to a select committee to be reported complete, in conformity with the provisions of the bill to incorporate the Board of Foreign Missions of the Presbyterian Church.

Thereupon,

Ordered, That the standing committee on charitable and religious societies be such select committee.

On motion of Mr. Burnham,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Bainbridge Central Bridge Company," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the third and sixth Senate Districts, to consider and report complete.

On motion of Mr. Van Schoonhoven,

Ordered, That the several bills of the following titles, to wit: "An act to incorporate the Troy Gas Light Company;" also "An act to incorporate the Troy Vulcan Works;" and also "An act to incorporate the New-York Portable Gas Company," be made the special order of the day for Thursday the 19th of March instant, at 11 A. M.

On motion of Mr. Emmons,

Ordered, That the committee of the whole be discharged from the

further consideration of the bill entitled "An act to incorporate the village of Ebenezer, in the county of Erie," and that the same be referred to a select committee to consist of the Senators attending the Senate from the Eighth Senate District, to consider and report complete.

The hour of eleven having arrived, Mr. Scovil moved to suspend the special order of the day for the purpose of proceeding to the further consideration of a resolution heretofore offered by him.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lester	Mr. Van Schoonhoven
Mr. Dennistott	Mr. Lott	Mr. Williams
Mr. Deyo	Mr. Mitchell	Mr. Wright

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sedgwick
Mr. Beers	Mr. Porter	Mr. Wheeler

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On motion of Mr. Scovil,

The Senate then proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, That the Commissioners of the Canal Fund be requested to report to the Senate, a list of the names of persons who were paid in full for services on the 20th of September last, and on the 13th and 18th of October last, by the Superintendent of the Erie Canal, at Syracuse, with a copy of the oath, if any, by which the services of the persons so paid were verified, and also a copy of the abstract and affidavit of vouchers for expenditures made by the said Superintendent, on or about the 11th day of July last, and certified by the Commissioners on the 16th of July aforesaid.

Mr. Sedgwick moved to amend said resolution by adding thereto the following, to wit :

That the president of the Syracuse and Utica Railroad Company, report whether at any time the men in the employ of that company, together with their cars and engines have been employed in carrying men to and from primary meetings or caucuses in any towns on or near the line of their road free from charge, with a view to control such primary meetings of the people in the selection of candidates.

Mr. Clark moved to prefix the word "resolved" to Mr. Sedgwick's said proposition.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Beers	Mr. Hand	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Wheeler
Mr. Clark	Mr. Lott	Mr. Wright
Mr. Emmons	Mr. Mitchell	

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Sedgwick	Mr. Williams

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Mr. Lott then asked a division of the question, and a point of order being raised.

The President decided that by prefixing the word "resolved" to Mr. Sedgwick's proposition to amend said resolution, it thereby became a distinct resolution, and that the call for a division was therefore in order.

Mr. President then put the question on agreeing to Mr. Scovil's said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lester	Mr. Van Schoonhoven
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Wright
Mr. Emmons	Mr. Scovil	

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Ordered, That the Clerk deliver a copy of said resolution to the Commissioners of the Canal Fund.

Mr. Jones then moved to substitute for Mr. Sedgwick's said resolution the following, to wit :

Resolved, That the railroad committee of the Senate be instructed to enquire, and report whether any of the railroad companies of this

State have unlawfully interfered with elections in this State, and whether they have used their means, power, influence or wealth, for the purpose of improperly controlling such elections, whether primary or otherwise.

Mr. President put the question on agreeing to said substitution, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE

Mr. Clark	Mr. Jones	Mr. Wright	
Mr. Folsom	Mr. Lott		5

FOR THE NEGATIVE.

Mr. Barlow	Mr. Emmons	Mr. Sedgwick	
Mr. Beekman	Mr. Hand	Mr. Sanford	
Mr. Beers	Mr. Johnson	Mr. S. Smith	
Mr. Burnham	Mr. Lester	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Wheeler	
Mr. Deyo	Mr. Scovil	Mr. Williams	21

Mr. Clark then moved to amend Mr. Sedgwick's said resolution, by striking out the words "the Syracuse and Utica Railroad Company," and insert instead thereof the words following, to wit : "of each and every railroad company between Albany and Buffalo."

Mr. Folsom moved to lay the whole subject on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Folsom		1
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FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick	
Mr. Beekman	Mr. Johnson	Mr. Sanford	
Mr. Beers	Mr. Jones	Mr. S. Smith	
Mr. Burnham	Mr. Lester	Mr. Spencer	
Mr. Chamberlain	Mr. Lott	Mr. Talcott	
Mr. Denniston	Mr. Mitchell	Mr. Wheeler	
Mr. Deyo	Mr. Porter	Mr. Williams	
Mr. Emmons	Mr. Scovil	Mr. Wright	24

Mr. Clark then withdrew his said amendment.

Mr. President then put the question on agreeing to Mr. Sedgwick's said resolution as amended, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. S.-Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Williams
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Deyo	Mr. Scovil	Mr. Young
Mr. Emmons	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Folsom 1

Ordered, That the Clerk transmit a copy of said resolution to the president of the Utica and Syracuse Railroad Company.

On motion of Mr. Johnson,

Ordered, That the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 14th, 1845," be made the special order of the day for Saturday next, at 11 o'clock, A. M.

On motion of Mr. Wheeler,

Ordered, That the bill entitled "An act to erect the county of Conewango;" and also the bill entitled "An act to erect the county of Schuyler," be made the special order of the day for to-morrow morning at half past 10 o'clock.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed three several bills of the following titles, to wit: "An act in relation to judgments and executions;" also "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh;" also "An act for the relief Ebenezer Murdock," which were severally ordered to a third reading.

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 12, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The minutes of yesterday having been read and approved,

Mr. Clark presented the petition of officers and soldiers of the second brigade for reform in the militia laws, which was read and referred to the committee on the militia.

Mr. Denniston presented the proceedings of a meeting of citizens of Somers, in favor of repealing the act of last session, for improving a road from the Elephant Hotel to Peekskill, which were read and referred to the committee on roads and bridges.

Mr. Lester presented the remonstrance of citizens of Ontario county, against the application of the Auburn and Rochester Railroad Company, which was read and referred to the select committee having in charge the bill to which it relates.

Mr. Van Schoonhoven presented the petition of citizens of Troy and West-Troy, for the passage of a law authorizing the Canal Commissioners to construct new locks upon the Erie Canal, at its termination opposite the city of Troy, and for other purposes, which was read and referred to the committee on canals.

Mr. Van Schoonhoven presented four several petitions of inhabitants of Albany and Columbia counties, for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant and for a general amnesty, &c., which were severally read and referred to the committee on the judiciary.

Mr. Hard presented two several remonstrances of inhabitants of Chautauque county, against any and all divisions of that county, which were severally read and referred to the committee of the whole, when upon the bill to erect the county of Conewango.

Mr. Emmons presented four several resolutions of the towns of Charlotte, Poland, Ellery and Westfield, against any division of Chautauque county, which were severally read and referred to the same committee of the whole.

Mr. Jones, from the committee on commerce and navigation, to whom was referred a copy of certain resolutions from the Assembly, in the words following, to wit :

Resolved, (if the Senate concur,) That it be recommended to the Senators and Representatives of the State of New-York, in the Congress of the United States, to use their best efforts to procure the passage of a law, during the present session of Congress, that will regulate and establish the pilot system of the United States upon equitable and proper principles, securing to the citizens of each State their just rights, and establishing in each State a board for the examination of all pilots before they shall be permitted to enter upon the duties of so important an office.

Resolved, (if the Senate concur,) That in case so desirable an object can not be effected, that they endeavor to procure the passage of a law giving to each State the power to pass laws for the appointment and regulation of the pilots for themselves.

Reported in favor of concurring therein, which was laid on the table.

Mr. Mitchell, from the committee on roads and bridges, to whom was referred the petition of inhabitants of Schoharie county, for the incorporation of a turnpike road from the east end of the Blenheim Bridge, in North Blenheim, to intersect the route of the Gilboa and Potter's Hollow Turnpike, in the town of Broome, asked for and obtained leave to report a bill entitled "An act to incorporate the North Blenheim and Broome Turnpike Company," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Third Senate District, to consider and report complete.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill entitled "An act in relation to the dissolution of common school districts," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print two hundred and fifty extra copies of the report of the Regents of the University, relative to the condition of the cabinets of Natural History, for the Legislature, and fifty extra copies thereof for the Regents, reported in favor of said motion.

Mr. Beers asked a division of the question on agreeing to said report.

Mr. President put the question on printing 250 extra copies for the Legislature, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Beekman	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Emmons	Mr. Scovil	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick.	Mr. Wheeler

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FOR THE NEGATIVE.

Mr. Beers	Mr. Hand	Mr. Porter
Mr. Chamberlain	Mr. Johnson	Mr. S. Smith
Mr. Clark	Mr. Lester	Mr. Wright

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Mr. President then put the question on printing 50 extra copies thereof for said Regents, and it was decided in the affirmative.

Thereupon,
Ordered, That 250 extra copies of said report for the Legislature, and 50 extra copies for the use of the Regents, be printed,

[See Senate Document No. 91.]

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to common schools in the village of Rome," which was ordered to a third reading.

Mr. Deyo, from the committee on privileges and elections, to whom was referred the bill from the Assembly entitled "An act relative to assessors in the town of Newburgh, in the county of Orange," reported in favor of the passage thereof, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act to provide for the support of the poor in the county of Otsego, in and by the towns in which said poor shall have settlement," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of John O. Frazee, Julius C. Foster and Benjamin Frazee," reported the same for the consideration of the Senate, with an amendment, which was committed to a committee of the whole.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to authorize the Canal Commissioners to increase the size of the side lock at the village of Tonawanda, when rebuilding the same," reported against the passage of the said bill, which was committed to a committee of the whole.

On motion of Mr. Hard,

Ordered, That the said bill be made the special order for Monday next at 1 o'clock, P. M.

Mr. Wright, from the select committee, to whom was referred so much of the Governor's message as relates to leasehold estates and the complaints of tenants, and the remedies proposed therefor, &c., asked for leave to report three several bills with the following titles, to wit: "An act concerning tenures;" also "An act to abolish distress for rent, and for other purposes;" also "An act to subject the rents reserved on certain leasehold estates to taxation."

The hour of half past ten having arrived, without taking the question on granting leave,

Mr. Wheeler called for the execution of the special orders.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to erect the county of Conewango," and after some time spent thereon, Mr. President resumed the chair, and Mr. Scovil, from said committee, reported that they had struck out the enacting clause of the bill, and had directed him to report the same to the Senate.

Mr. President put the question on agreeing with said committee of the whole in their report, and it was decided in the affirmative,

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Scovil	13
Mr. Burnham	Mr. Johnson	Mr. Sanford	
Mr. Chamberlain	Mr. Lott	Mr. Spencer	
Mr. Emmons	Mr. Porter	Mr. Talcott	
Mr. Folsom			

FOR THE NEGATIVE.

Mr. Hand	Mr. Mitchell	Mr. Williams	5
Mr. Lester	Mr. Wheeler		

Thereupon,

Resolved, That the said bill be rejected.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to erect the county of Schuyler," and after some time spent thereon, Mr. President resumed the chair, and Mr. Backus, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, with amendments.

Mr. President put the question on agreeing with said committee in their said report, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick	13
Mr. Beekman	Mr. Lester	Mr. S. Smith	
Mr. Beers	Mr. Mitchell	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo			

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford	16
Mr. Burnham	Mr. Johnson	Mr. Spencer	
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven	
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	
Mr. Folsom			

Mr. Wheeler moved to reconsider the last vote.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the dissolution of common school districts," which was ordered to a third reading.

Mr. Van Schoonhoven, from the minority of the select committee, on so much of the Governor's message as relates to leasehold estates, &c., asked for leave to report a bill entitled "An act concerning tenures," which was laid on the table.

Mr. Wright, from the select committee consisting of the Senators attending the Senate from the third Senate District, to whom was referred the bill entitled "An act to incorporate the North Blenheim and Broome Turnpike Company," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A bill was received from the Assembly entitled "An act for the relief of the minor heirs of James Thompson, deceased," with a message informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act authorizing the trustees of school district number ten in the town of Little-Falls, to borrow money to build a school house," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The report of the Commissioners of the Canal Fund, in answer to a resolution of the Senate, in relation to the reduction in the rates of tolls, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[Senate Document No. 89.]

On motion of Mr. S. Smith,

The bill from the Assembly entitled "An act to confirm the election and official acts of the town officers of the town of Ossinsing, in the county of Westchester, and for other purposes," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Johnson	Mr. Talcott
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Lou	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Scovil	Mr. Wright

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

On motion of Mr. Lott,

Resolved, That the deed executed by James Wadsworth, accompanying the papers relating to the bill entitled "An act to confirm certain trusts therein specified," be delivered to the other parties to said deed or one of them, upon the substitution of a certified copy in its place.

On motion of Mr. Lott,

Resolved, That a message be sent to the honorable the Assembly by the Clerk, requesting that body to transmit to the Senate the papers on file, relative to the transcribing of certain mortgages, in and for the county of Tioga.

On motion of Mr. Johnson,

Ordered, That the petition of George Stanton, and the accompanying papers be taken from the files of the Senate, and referred to the committee on finance.

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., MARCH 13, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The minutes of yesterday having been read and approved,

Mr. Denniston presented two several petitions of citizens of Newburgh, for the incorporation of a company to supply their village with pure and wholesome water from Little Pond, and for the construction of a railroad to bring ice from the same pond, which was read and referred to the committee on railroads.

Mr. Lott presented the application of the trustees and associates of the Brooklyn Benevolent Society, for an amendment of their act of incorporation, which was read and referred to the committee on charitable and religious societies.

Mr. Sanford presented the memorial of the New-York Northern and Eastern Dispensaries, in the city of New-York, praying for aid, which was read and referred to the same committee.

Mr. Van Schoonhoven presented the petition of citizens of Troy, for a law authorizing the Canal Commissioners to construct new locks at West-Troy, and for other purposes, which was read and referred to the committee on canals.

Mr. Van Schoonhoven presented the petition of citizens of Columbia county, for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant, which was read and referred to the committee on the judiciary.

Mr. Spencer presented the petition of sundry inhabitants of Oswego,

for the abolishment of the office of police justice, which was read and referred to the same committee.

Mr. Spencer presented the resolutions of the town of Lee, passed at town meeting, remonstrating against giving any additional supervisors to the city of Utica, which was read and laid on the table.

Mr. Spencer presented the petition of David P. Smalley, to have refunded to him 134 dollars with interest, which was read and referred to the Comptroller for his report thereon.

Mr. Johnson presented the petition of inhabitants of Columbia county, in favor of the individual liability of corporations, which was read and referred to the committee on manufactures.

Mr. Lott, from the committee on the judiciary, to whom was referred sundry petitions to abolish the office of police justice in the village of Oswego, reported in writing adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 93.]

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act in relation to suits in courts of law," reported the same with amendments, for the consideration of the Senate, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition of Mary Warren, and other citizens of Troy, asking the incorporation of a free school in said city, asked for and obtained leave to report a bill entitled "An act to incorporate the Warren Free Institute of the city of Troy," which was read the first time, and by unanimous consent was also read a second time, and ordered engrossed for a third reading.

Mr. Clark, from the same committee, to whom was referred the petition of the trustees of the Black River Institute, for that purpose, asked for and obtained leave to report a bill entitled "An act to change the name of the Black River Literary and Religious Institute," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to incorporate the North Blenheim and Broome Turnpike Company," which was ordered to a third reading.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act in relation to the city of Troy," reported the same for the consideration of the Senate, which was committed to a committee of the whole, and

On motion of Mr. Van Schoonhoven,

Said bill was made the special order of the day for Saturday of next week at 11 o'clock, A. M.

Mr. Talcott, from the committee on banks and insurance companies, to whom was referred a petition for that purpose, and also a bill entitled "An act for the settlement of the affairs of the Bank of Rochester," reported against the prayer of the said petition, and the passage of the said bill, which bill was laid on the table.

Mr. Deyo, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to authorize the inhabitants of the town of Poughkeepsie to elect path masters in their several road districts," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Mitchell, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend the charter of the Gilboa and Potter's Hollow Turnpike Road Company," reported in favor of the same, with an amendment, which was committed to a committee of the whole.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act authorizing the trustees of school district number ten, in the town of Little-Falls, to borrow money to build a school house," reported in favor of the same, which was committed to a committee of the whole.

Mr. Clark, from the select committee, to whom was referred the bill entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Johnson moved that the present and all intervening orders of business be laid on the table, for the purpose of enabling him to offer the following resolution :

Resolved, That the several bills reported by the select committee, or any one of them, to which on the 9th day of January last, was referred so much of the Governor's message as relates to the subject of leasehold estates and the complaints of the tenants in relation thereto, and the remedies proposed, be taken from the President's desk and referred back to said committee, with instructions to make a report in writing of the several claims of those holding or occupying such leasehold estates, together with the reasons of the committee, or any of them, in support of the bills reported, or such as they may think proper further to propose.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow

Mr. Beekman

Mr. Beers

Mr. Denniston
Mr. Deyo
Mr. Hand
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Sedgwick

Mr. S. Smith
Mr. Talcott
Mr. Williams

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FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Folsom

Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Scovil

Mr. Sanford
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Wright

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The Senate then proceeded to the further consideration of the question on granting leave to the select committee, on so much of the Governor's message as relates to leasehold estates, &c., to report the four several bills mentioned yesterday, in their majority and minority reports thereon.

Thereupon,

Mr. Johnson offered the resolution last above written.

Debates being had but without taking the question thereon, Mr. Beekman moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman
Mr. Beers

Mr. Hand
Mr. Sanford

Mr. S. Smith
Mr. Williams

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FOR THE NEGATIVE.

Mr. Barlow
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Folsom

Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lester
Mr. Lott
Mr. Mitchell
Mr. Porter

Mr. Scovil
Mr. Sedgwick
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Wright

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Mr. Talcott then moved to strike out all after the word "resolved" in Mr. Johnson's resolution, and to insert the following instead thereof, to wit :

That the select committee to whom was referred so much of the Governor's message as relates to the subject of leasehold estates, the complaints of the tenants, in relation thereto and the remedies proposed therefor, be respectfully requested to report in writing to the Senate, at

as early a day as convenient, their views upon these subjects, and the ground upon which the bills were framed, which the said committee have reported to the Senate.

Which amendment was assented to by Mr. Johnson.

Mr. Lott then moved to lay said resolution as amended on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Jones	Mr. Sanford	
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler	
Mr. Clark	Mr. Scovil	Mr. Wright	
Mr. Hard			13

FOR THE NEGATIVE.

Mr. Beekman	Mr. Hand	Mr. Sedgwick	
Mr. Denniston	Mr. Johnson	Mr. S. Smith	
Mr. Deyo	Mr. Lester	Mr. Talcott	
Mr. Folsom	Mr. Porter	Mr. Williams	12

Mr. Johnson then moved to lay on the table the question of granting leave to the majority of said select committee to report the said three mentioned bills.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Johnson	1
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FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick	
Mr. Beekman	Mr. Hard	Mr. S. Smith	
Mr. Burnham	Mr. Jones	Mr. Talcott	
Mr. Chamberlain	Mr. Lester	Mr. Van Schoonhoven	
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Denniston	Mr. Mitchell	Mr. Williams	
Mr. Deyo	Mr. Porter	Mr. Wright	
Mr. Folsom	Mr. Scovil		23

Mr. President then put the question on granting leave to the ma-

jority of said committee to report said three mentioned bills, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Scovil	Mr. Wright
Mr. Hand	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Johnson

1

Leave being granted, Mr. Wright, from the majority of said committee, reported three several bills with the following titles, to wit : "An act to abolish distress for rent, and for other purposes ;" also "An act to subject the rents reserved on certain leasehold estates to taxation ;" also "An act concerning tenures," which were severally read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole.

Mr. Van Schoonhoven, from the minority of the same select committee, asked for and obtained leave to report a bill entitled "An act concerning tenures," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills respectively, be printed.

On motion of Mr. Talcott,

Said last four mentioned bills were made the special order of the day for Tuesday the 24th inst., at 11 o'clock, A. M., and every succeeding day until disposed of.

On motion of Mr. Williams,

The bill relative to the New-York and New-Haven Railroad, was made the special order of the day for Monday next at 11 o'clock, A. M.

On motion of Mr. Folsom,

Ordered, That the usual number of copies of the bill from the Assembly entitled "An act to prevent fires along the track of the Long Island Railroad Company," be printed.

On motion of Mr. Wright,

Resolved, That the Comptroller report to the Senate a statement in detail, showing what sums have been paid from the Treasury to the Attorney-General of this State, for the trial of any and all causes under the direction of the Governor or judges of the supreme court, during the

term of office of Greene C. Bronson, Samuel Beardsley, Willis Hall and George P. Barker, specifying the causes tried and the sum certified and paid to each of said persons for the trial of each cause, with copies of the certificate of the Governor allowing the sum paid in each cause.

Ordered, That the Clerk deliver a copy of said resolution to the Comptroller.

On motion of Mr. Wheeler,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act granting to Horace D. Swan the privilege of establishing a ferry across the Allegany River," and that the same be referred to a select committee to consist of the Senators attending the Senate from the Sixth Senate District, to consider and report complete.

On motion of Mr. Lott,

Resolved, That the reports of the joint committee of the Senate and Assembly, on the accounts of the Treasurer, be referred to the committee on public expenditures to examine and report whether any of the accounts therein stated to have been paid without authority of law, have been so paid.

Mr. Barlow gave notice that he would at some future time ask leave to bring in a bill entitled "An act to amend the fifth section of the act relating to excise," passed May 14th, 1845.

A message was received from the Assembly transmitting to the Senate, pursuant to their request, the petition of the board of supervisors of the county of Tioga, for a law directing certain records of mortgages to be transcribed, &c., which petition was read and referred to the committee on the judiciary.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America;" also "An act to incorporate the Warren Free Institute in the city of Troy;" also "An act to change the name of the Black River Literary and Religious Institute," which were severally ordered to a third reading.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., MARCH 14, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The minutes of yesterday having been read and approved,

Mr. Hand presented four several petitions of inhabitants of Essex county, for the abolition of the office of deputy superintendent of common schools for that county, which were severally read and referred to the committee on literature.

[SENATE JOURNAL.]

Qq

Mr. Talcott presented the petition of the trustees and taxable inhabitants of school district number one West Oswego, for a grant of a lot of land in said district by the State, upon which to erect a school house, which was read and referred to the committee on finance.

Mr. Talcott presented the remonstrance of inhabitants of Jefferson county, against par redemption, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lester presented the remonstrance of inhabitants of Ontario county, against the application of the Auburn and Rochester Railroad Company, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Van Schoonhoven presented two several petitions of citizens of Columbia county, for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant, which were read and referred to the committee on the judiciary.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the petition of sundry inhabitants of the county of Fulton, for an act to incorporate a mutual insurance company in said county, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Buruham from the select committee consisting of the Senators attending the Senate from the sixth and third Senate districts, to which was referred the bill entitled "An act to incorporate the Bainbridge Central Bridge Company," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Jones,

The Senate proceeded to the further consideration of the resolutions from the Assembly, which were read in the words following, to wit:

Resolved, (if the Senate concur,) That it be recommended to the Senators and Representatives of the State of New-York, in the Congress of the United States, to use their best efforts to procure the passage of a law, during the present session of Congress, that will regulate and establish the pilot system of the United States upon equitable and proper principles, securing to the citizens of each State their just rights, and establishing in each State a board for the examination of all pilots before they shall be permitted to enter upon the duties of so important an office.

Resolved, (if the Senate concur,) That in case so desirable an object can not be effected, that they endeavor to procure the passage of a law giving to each State the power to pass laws for the appointment and regulation of the pilots for themselves.

Debates being had thereon to the hour of eleven,

On motion of Mr. Jones,

The special order of the day was suspended till the question on the above resolutions be taken.

Further debates being had but without taking the question thereon.

On motion of Mr. Chamberlain,

Said resolutions were made the special order of the day for Thursday next at 4 o'clock, P. M.

On motion of Mr. Porter,

The present and all intervening orders of business were laid on the table and the Senate resolved itself into a committee of the whole on the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845," and after some time spent thereon, Mr. President resumed the chair, and Mr. Sanford, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Johnson,

Ordered, That the usual number of copies of the amendments offered to said bill in committee of the whole, by Mr. Clark, be printed, and that the said bill be made the special order of the day for Monday afternoon next, at 4 o'clock.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to incorporate the Bainbridge Central Bridge Company," which was ordered to a third reading.

Mr. Hard, from the committee on railroads, to whom was referred the petition of citizens of Newburgh, for the incorporation of a company to supply that village with pure and wholesome water from Little Pond, and for the construction of a railroad to bring ice from said pond, reported a bill entitled "An act to authorize Henry Robinson, David Crawford, Robert A. Forsyth, Homer Ramsdell and Samuel I. Farnum, to supply the village of Newburgh with pure and wholesome water, and to construct a railroad from the Little Pond to Newburgh, for the purpose of conveying ice, lime stone, &c.," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Hand,

The Senate proceeded to the further consideration of the resolution from the Assembly, which was read in the words following, to wit :

Resolved, (if the Senate concur,) That a committee of one from the Senate and four from this House, proceed to examine the Clinton County State Prison, and report whether the appropriation asked for is necessary.

Mr. President put the question on the final passage of said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE

Mr. Clark
Mr. Folsom

Mr. Hand

Mr. S. Smith

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FOR THE NEGATIVE.

Mr. Backus

Mr. Chamberlain

Mr. Denniston

Mr. Hard
Mr. Johnson
Mr. Lester
Mr. Lott

Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sedgwick

Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

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Thereupon,

Resolved, That the resolution do not pass.

Ordered, That the Clerk return said copy resolution to the Assembly with a message, informing that the Senate do nonconcur therein.

On motion of Mr. Sedgwick,

Resolved, That the bill entitled "An act in relation to the Natural History of the State," be referred to the committee on literature, to consider and report complete.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 16, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McDonough.

The minutes of Saturday having been read and approved,

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company be made suable in justices' courts, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Wheeler, from the select committee consisting of the Senators attending the Senate from the Sixth Senate district, to which was referred the bill entitled "An act granting to Horace D. Swan, the privilege of establishing and maintaining a ferry across the Allegany River," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill entitled "An act in relation to the Natural History of the State," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A message was received from the Assembly, requesting the Senate to transmit to that House, the petition and other papers on the Senate files relating to the application for the incorporation of the Provident Life Mutual Insurance Company in the city of New-York.

Thereupon,

Ordered, That the Clerk deliver said papers to the Assembly.

The reports respectively of the New-York and Albany, and the Skaneateles Railroad Companies, answering a resolution of the Senate, relative to the names and residences of their stockholders, were received, read and referred to the committee on railroads, and the question of printing the same laid on the table.

The report of the Attorney-General, answering the resolution of the Senate, of the 9th inst., relative to the amount charged or claimed by him for attending the argument of a cause in the supreme court of the United States, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 91.*]

The report of the Secretary of State of abstracts of convictions for criminal offences, and of returns of sheriffs respecting the persons convicted, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 98.*]

Mr. Lott moved that 150 extra copies of said report be printed, for the use of the Secretary of State, which motion was referred to the committee on public printing.

Mr. Spencer, from the minority of the select committee, on so much of the Governor's message as relates to leasehold estates, &c., made a written report thereon, which was referred to the same committee of the whole, having in charge three bills reported by Mr. Wright, entitled "An act concerning tenures," and the several other bills relating to the same subject.

Mr. Lott moved that 1,250 extra copies of said report be printed, which motion was referred to the committee on public printing.

Afterwards,

Mr. Sedgwick, from the committee on public printing, to whom was referred said motion, reported in favor thereof, which motion was agreed to by the Senate.

Thereupon,

Ordered, That the usual number and 1,250 extra of copies of said report be printed.

[*See Senate Document No. 92.*]

On motion of Mr. Williams,

The present and all intervening orders of business were laid on the table, and the Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend the charter of the Canandaigua and Corning Railroad Company," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed two several bills of the following titles, to wit: "An act in relation to the Natural History of the State;" also "An act granting to Horace D. Swan, the privilege of establishing and maintaining a ferry across the Allegany river," which were severally ordered to a third reading.

The Senate then, pursuant to special order, again resolved itself into a committee of the whole, on the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their railroad from the Connecticut line to the New-York and Harlem Railroad," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from said committee, reported progress, and asked for and obtained leave to sit again.

Then the Senate took a recess till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met.

Mr. Lott moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Emmons	Mr. Lott	Mr. Putnam	3
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FOR THE NEGATIVE.

Mr. Backus	Mr. Lester	Mr. Sedgwick	
Mr. Johnson	Mr. Mitchell	Mr. Sanford	
Mr. Jones	Mr. Porter	Mr. Wheeler	9

By unanimous consent,

The Senate then, pursuant to order, resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845," and after time spent thereon, Mr. President resumed the chair, and Mr. Sanford, from said committee, reported that the said committee had gone through said bill, made sundry amendments thereto, which with the said bill he was directed to report to the Senate.

On motion of Mr. Clark,

Ordered, That the question on agreeing to said report be laid on the table.

On motion of Mr. Lott,

Ordered, That the said bill as amended be printed.

On motion of Mr. Folsom,

Ordered, That the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their road from the Connecticut line to the New-York and Harlem Railroad," be made the special order of the day for to-morrow morning at 11 o'clock, immediately after the other special orders for that hour.

On motion of Mr. Beekman,

Ordered, That the bill entitled "An act for the relief of Westfall May," be recommitted to the committee on grievances.

On motion of Mr. Hand,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to provide for the construction of a railroad and a slack water navigation from Port Kent or its vicinity on Lake Champlain, through a portion of the Saranac and Racket rivers, Long lake, Crotchets and Racket lakes, Moose lake and river to the Black river at Boonville, in Oneida county, or through parts of the said lakes, rivers and places," be referred to a select committee consisting of the Senators attending the Senate from the Fourth district.

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 17, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The minutes of yesterday having been read and approved,

Mr. Deyo presented the petition of sundry inhabitants of the town of Wawarsing, in Ulster county, relative to the Lackawack and Never-sink Turnpike Company, for an extension of time to receive subscriptions for stock, which was read and referred to the committee on roads and bridges.

Mr. S. Smith presented the petition of sundry freeholders of Westchester, for a division of said town, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Beekman presented the remonstrance of two aldermen and other citizens of Troy, against the passage of the bill in relation to that city, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Beekman presented the like remonstrance of Job Pierson and

others of said city, which was read and referred to the same committee of the whole.

Mr. Folsom presented the remonstrance of the Long-Island Railroad Company, against the passage of the bill to prevent fires along the track of said road, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Hard presented the petition of citizens of Clarendon, Orleans county, in favor of the abolition of capital punishment, which was read and referred to the committee on the judiciary.

Mr. Denniston, from the committee on canals, to whom were referred two several petitions of citizens of Troy and West-Troy, for that purpose, asked for and obtained leave to report the following concurrent resolution, which was laid on the table, to wit:

Resolved, (if the Assembly concur,) That the Canal Board be required to cause a plan to be prepared for reconstructing the locks and the upper side cut from the Erie Canal to the Hudson river at West-Troy, on the present site, or on some site near by, and for improving the navigation from the Erie Canal at that place, into the river, together with an estimate of the expense of said works, and to submit the same to the next Legislature.

Mr. Jones moved that the bill entitled "An act in relation to the State Library," be engrossed for a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell
Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hand	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. Wheeler
Mr. Chamberlain	Mr. Lott	

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Porter	Mr. S. Smith
Mr. Lester		

4

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of Lucy Buckner, for that purpose, asked for and obtained leave to report a bill entitled "An act to confirm the title of certain real estate in Lucy Buckner, the widow of James Buckner, late of the county of Montgomery, deceased," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Hand, from the committee on grievances, to whom was refer-

red the bill from the Assembly entitled "An act to repeal an act for the preservation of trout in the Owasco Lake," passed April 23d, 1844, reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hand, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the preservation of game in the county of Saratoga," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Hand, from the same committee, to whom was referred the petition of Nicholas Nicholson, for re-appraisal of damages occasioned by making the Genesee Valley Canal, reported in writing adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Ordered, That the usual number of copies of said report be printed.

[Senate Document No. 94.]

The annual report of the transactions of the State Agricultural Society for the year 1845, was received, read and referred to the committee on agriculture.

On motion of Mr. Sanford,

Resolved, That the committee of the whole be discharged from the further consideration of the bill to increase the number of commissioners of deeds for the city and county of New-York, and that the said bill be ordered to a third reading.

On motion of Mr. Talcott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the police justice in the village of Oswego," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the Fifth Senate District, to consider and report complete.

On motion of Mr. Lott,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act relating to parts of Bedford road in the city of Brooklyn;" also the bill entitled "An act in relation to Carll-street in the city of Brooklyn," and that the same be referred to a select committee, composed of the Senators of the first district, to report complete.

On motion of Mr. S. Smith,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorize Robert R. Morris, to erect a dam or mound across Palmer Brook, in the town of Westchester," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the Second Senate District, to consider and report complete.

Mr. Sanford asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," which was read the first time,

and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

On motion of Mr. Jones,

The Senate proceeded to the further consideration of the concurrent resolution heretofore offered by him, which was read in the words following, to wit:

Resolved, (if the Assembly concur,) That the Trustees of the State Library be requested, under the authority vested in them by section four of chapter 255, of the Laws of 1844, to procure the several Library rooms to be carpeted in a suitable manner, and at such time as the same may most conveniently be done.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

Mr. Barlow pursuant to notice asked for and obtained leave to bring in a bill entitled "An act to amend the fifth section of the act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the State Library," which was ordered to a third reading.

On motion of Mr. Beers,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843," and that the same be referred to the Senators attending the Senate from the Sixth Senate District, to consider and report complete.

On motion of Mr. Hard,

Resolved, That the bill for the enlargement of the Tonawanda locks, be made the special order for to-morrow at 1 o'clock, P. M.

On motion of Mr. Sanford,

Resolved, That the bill in relation to the New-York Equitable Insurance Company, and the bill to change the name of the New-York Mutual Insurance Company, be made the special order for Friday next at 4 P. M.

The engrossed bill entitled "An act to incorporate the Warren Free Institute in the city of Troy," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Hand
Mr. Barlow	Mr. Denniston	Mr. Hard
Mr. Beekman	Mr. Deyo	Mr. Johnson
Mr. Beers	Mr. Emmons	Mr. Jones
Mr. Burnham	Mr. Folsom	Mr. Lott

Mr. Mitchell
Mr. Porter
Mr. Sedgwick

Mr. Sanford
Mr. S. Smith
Mr. Talcott

Mr. Wheeler
Mr. Williams

23

The engrossed bill entitled "An act to change the name of the Black River Literary and Religious Institute," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter

Mr. Putnam
Mr. Scovil
Mr. Sedgwick
Mr. Sanford
Mr. S. Smith
Mr. Talcott
Mr. Wheeler
Mr. Williams

25

FOR THE NEGATIVE.

Mr. Lester

1

The engrossed bill entitled "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo

Mr. Emmons
Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter

Mr. Putnam
Mr. Scovil
Mr. Sedgwick
Mr. Sanford
Mr. S. Smith
Mr. Talcott
Mr. Wheeler
Mr. Williams

26

The engrossed bill entitled "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman

Mr. Beers
Mr. Burnham
Mr. Chamberlain

Mr. Clark
Mr. Denniston
Mr. Deyo

Mr. Emmons	Mr. Mitchell	Mr. Sanford	
Mr. Folsom	Mr. Porter	Mr. S. Smith	
Mr. Hand	Mr. Putnam	Mr. Talcott	
Mr. Hard	Mr. Scovil	Mr. Wheeler	
Mr. Lott	Mr. Sedgwick	Mr. Williams	24

The engrossed bill entitled "An act to incorporatr the Bainbridge Central Bridge Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Putnam	
Mr. Barlow	Mr. Emmons	Mr. Scovil	
Mr. Beekman	Mr. Folsom	Mr. Sedgwick	
Mr. Beers	Mr. Hard	Mr. S. Smith	
Mr. Burnham	Mr. Johnson	Mr. Talcott	
Mr. Chamberlain	Mr. Jones	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Williams	
Mr. Denniston	Mr. Porter		23

Ordered, That the Clerk deliver the last five mentioned bills to the Assembly, and request their concurrence in the same respectively.

The engrossed bill entitled "An act in relation to the dissolution of common school districts," was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the North Blenheim and Broome Turnpike Company," was read the third time.

Ordered, That the question on the final passage of said bill do lie upon the table.

The bill from the Assembly entitled "An act to extend the goal liberties of the city and county of New-York," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell	
Mr. Barlow	Mr. Folsom	Mr. Porter	
Mr. Beekman	Mr. Hand	Mr. Sedgwick	
Mr. Beers	Mr. Hard	Mr. Sanford	
Mr. Burnham	Mr. Jones	Mr. S. Smith	
Mr. Chamberlain	Mr. Lester	Mr. Wheeler	
Mr. Clark	Mr. Lott	Mr. Williams	
Mr. Deyo			22

FOR THE NEGATIVE.

Mr. Denniston

Mr. Johnson

Mr. Talcott

3

The bill from the Assembly entitled "An act concerning the district attorney and treasurer of the county of Kings," was read the third time and passed.

Ordered, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same respectively, without amendment.

The engrossed bill entitled "An act in relation to judgments and executions," was read the third time and passed.

Mr. Clark moved to reconsider the vote on the final passage of said bill.

Debates being had, but without taking the question thereon, the execution of the special order of the day was called for.

Thereupon,

The Senate resolved itself into a committee of the whole, on the bill entitled "An act to repeal the act to increase the revenues of the State by extending the market for salt, coal and lead, passed April 18, 1843," and the act to amend the same, passed March 7, 1845," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported progress, and asked for and obtained leave to sit again.

Thereupon,

Said bill was made the special order of the day for Thursday morning next at half past ten o'clock, and to be the special order every day at the same time until disposed of.

Leave of absence was granted to Mr. Wright, for ten days from this day.

On motion of Mr. Jones,

Ordered, That the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," be made the special order for to-morrow morning at half past 10 o'clock; and the bill in relation to the New-York and New-Haven Railroad be made the special order of the day for to-morrow afternoon, at 4 o'clock.

Then the Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 18, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McDonough.

The minutes of yesterday having been read and approved,

Mr. S. Smith presented the petition of twenty-seven citizens of the town of Schoharie, for a division of said town, which was read and referred to the committee on the division of towns and counties.

Mr. Hard presented the petition of inhabitants of the county of Orleans, for the erection of the Niagara Falls Bridge, which was read and referred to the committee on roads and bridges.

Mr. Denniston presented the petition of citizens of Ulster county, for certain amendments to the excise law, which was read and referred to the committee on the poor laws.

Mr. Wheeler presented the petition of citizens of Livingston county, for the passage of an act directing the Canal Commissioners to assume the Dansville slip and basin, which was read and referred to the committee on canals.

Mr. Van Schoonhoven presented three several petitions of citizens of Albany, Rensselaer and Herkimer counties, for relief to the convicts imprisoned for offences growing out of the relation of landlord and tenant in this State, which were read and referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of Stephen Warren, John Townsend and Erastus Corning, asking the passage of an act authorizing certain trusts for the benefit of the owners and occupants of mill privileges on the Wynants kill, which was read and referred to the same committee.

Mr. Emmons, from the committee on charitable and religious societies, to whom was referred a petition for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to enable the dispensaries of the city of New-York, to extend their benefits,' passed April 21, 1841," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 150 extra copies of the report of the Secretary of State, relative to convictions for criminal offences for that officer, reported in favor of said motion, and also in favor of 250 extra copies thereof, for the use of the Legislature, which was agreed to by the Senate.

Thereupon,

Ordered, That 150 extra copies of said report for the use of the Secretary of State, and 250 extra copies thereof for the Legislature, be printed.

[See Senate Document No. 98.]

Mr. Lott, from the select committee consisting of the Senators attending the Senate from the first Senate District, to whom were referred two several bills of the following titles, to wit: "An act relating to part of the Bedford road in the city of Brooklyn;" also "An act in relation to Caill-street in the city of Brooklyn," to consider and report complete, reported the same severally without amendment, which was agreed to by the Senate, and said bills ordered to a third reading.

Mr. Chamberlain, from the select committee consisting of the Senators attending the Senate from the Sixth Senate District, to whom was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Mitchell, from the select committee, consisting of the Senators attending the Senate from the Fourth Senate District, to whom was referred the bill entitled "An act for the reconstruction and alteration of the highway between the village of Herkimer and Middleville, in Herkimer county," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled "An act incorporating the village of Sag-Harbor," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The report of the Comptroller on the petition of David P. Smalley, for relief, was received, read and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 97.]

The report of the Commissioners of the Canal Fund, in answer to a resolution of the Senate, calling for the names of persons paid by the Canal Superintendent at Syracuse, was received, read and referred to the select committee having in charge the subject of inquiry on the northern section of the Champlain Canal and Glens-Fall's feeder, &c.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 96.]

The report of the Chancellor, answering the resolution of the Senate, relative to the publication of certain notices, was received, read and referred to the committee on the judiciary.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 91.]

The report of John Wilkinson, president of the Syracuse and Utica Railroad Company, answering a resolution of the Senate of the 11th

inst., was received, read and laid on the table, and a motion to print the usual number of copies thereof, was referred to the committee on public printing.

Mr. Folsom asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to extend the time for constructing the Goshen and Albany Railroad," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Mr. Sedgwick moved that the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to provide for the election of superintendents of the poor and other officers by the people, in the county of Onondaga," and that the same be referred to a select committee to consist of the Senators attending the Senate from the Seventh Senate District, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Folsom	Mr. S. Smith	
Mr. Beers	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Wheeler	
Mr. Deyo	Mr. Sedgwick	Mr. Williams	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. Scovil	
Mr. Chamberlain	Mr. Lott	Mr. Sanford	
Mr. Emmons	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Johnson	Mr. Putnam		11

On motion of Mr. Lester,

The bill entitled "An act in relation to actions against railroad corporations," was referred to a select committee to consist of one Senator attending the Senate from each Senate District, to consider and report complete.

Mr. President announced, and

Thereupon,

Ordered, That Mr. Lester, Mr. Chamberlain, Mr. Talcott, Mr. Mitchell, Mr. Beekman, Mr. S. Smith, Mr. Folsom and Mr. Backus, be said committee.

By unanimous consent,

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Patrick Fitzsimmons and James Brady," reported against the passage thereof, which was committed to a committee of the whole.

The hour of half past ten having arrived, the Senate, pursuant to order, proceeded to the consideration of the report of the committee of the whole, on the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioners."

The first section of said bill as amended and reported by said committee of the whole, was read in the words following, to wit:

Section one of title one of chapter seventeen, of part first of the Revised Statutes, is hereby amended so as to read as follows:

§ 1. All goods, wares and merchandise, and every other species of personal property which shall at any time be exposed to sale by public auction within this State, with the exceptions mentioned in the fourth and fifth sections of this title, shall be subject, each and every time they shall be struck off, to duties at the following rates, namely:

1. All wines and ardent spirits, foreign or domestic, at the rate of one dollar on every hundred dollars.

2. All goods, wares, merchandise and effects imported from any place beyond the Cape of Good Hope, at the rate of fifty cents on every one hundred dollars.

3. All other goods, wares, merchandise and effects, at the rate of seventy-five cents on every one hundred dollars.

4. Articles of the growth, produce and manufacture of the United States, except distilled spirits, at the rate of twenty-five cents on every hundred dollars.

The duties shall be calculated on the sums for which the goods so exposed to sale shall be respectively struck off, and shall in all cases be paid by the person making the sale.

Mr. Jones called for a division of the question on agreeing with the said report upon the 4th subdivision of said section, which was read in the words following:

4. Articles of the growth, produce and manufacture of the United States, except distilled spirits, at the rate of twenty-five cents on every one hundred dollars.

Mr. President put the question on agreeing to so much of the said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Denniston	Mr. Talcott
Mr. Beers	Mr. Eminons	Mr. Van Schoonhoven
Mr. Burnham	Mr. Hand	Mr. Williams
Mr. Chamberlain	Mr. Porter	

11

FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. Lester
Mr. Folsom	Mr. Jones	Mr. Lott

Mr. Mitchell	Mr. Sedgwick	Mr. Wheeler	
Mr. Scovil	Mr. Sanford		11

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Mr. President put the question on agreeing to the said amendment to the first section of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. Talcott	
Mr. Beers	Mr. Johnson	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Porter	Mr. Wheeler	
Mr. Denniston	Mr. S. Smith	Mr. Williams	
Mr. Emmons			13

FOR THE NEGATIVE.

Mr. Backus	Mr. Lott	Mr. Scovil	
Mr. Folsom	Mr. Mitchell	Mr. Sedgwick	
Mr. Jones	Mr. Putnam	Mr. Sanford	
Mr. Lester			10

Mr. President put the question on agreeing to the report of the committee of the whole on said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. Scovil	
Mr. Beers	Mr. Johnson	Mr. Sanford	
Mr. Chamberlain	Mr. Jones	Mr. S. Smith	
Mr. Denniston	Mr. Lott	Mr. Talcott	
Mr. Emmons	Mr. Porter	Mr. Wheeler	
Mr. Folsom	Mr. Putnam	Mr. Williams	18

FOR THE NEGATIVE.

Mr. Backus	Mr. Mitchell	Mr. Sedgwick	3
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Mr. Folsom moved to suspend the 18th rule of the Senate, to enable him to offer an amendment to said report which was not offered in the committee of the whole.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Folsom	Mr. Sedgwick	
Mr. Chamberlain	Mr. Lott	Mr. Talcott	
Mr. Denniston	Mr. Mitchell	Mr. Williams	
Mr. Emmons	Mr. Putnam		11

FOR THE NEGATIVE.

Mr. Beekman	Mr. Jones	Mr. S. Smith	
Mr. Hand	Mr. Porter	Mr. Wheeler	
Mr. Johnson	Mr. Sanford		8

The ninth section of the said bill as reported, was then read in the words following, to wit:

§ 9. To entitle any goods, wares or merchandize, or other property sold at auction in the city and county of New-York, after the passage of this act, to an exemption from the payment of auction duties to the State, as goods damaged at sea upon the voyage of importation, the auctioneer shall be furnished before sale with a proper certificate from the board of port wardens of the port of New-York, that such goods were examined by a member of that board, at the proper time and in the proper manner, and that they were damaged at sea upon the voyage of importation, so as in the opinion of said board of wardens to be entitled to be sold at auction as damaged goods, and be exempt from the payment of auction duties; and also with a statement, upon oath of the president or secretary of the Marine Insurance Company in the city and county of New-York, in which such goods shall have been insured, in case any insurance shall have been effected on said goods, stating the fact of insurance of the goods in such company and the amount insured thereon, which said certificates shall be by the said auctioneer exhibited publicly at the said sale, upon the demand of any port warden, or any other person interested in the said goods, or in the sale thereof; and without such certificates duly furnished to the auctioneer employed to sell the same, all such goods shall, from and after the passage of this act, be charged with the same auction duties as like goods are subject to, which are not damaged or claimed to be so.

Mr. Folsom moved to amend said section by striking out in the 11th line thereof, the words "upon oath," and inserting in lieu thereof "in writing."

Mr. President put the question on agreeing thereto, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Folsom	Mr. Sedgwick	
Mr. Emmons	Mr. Putnam		5

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. Sanford	
Mr. Beekman	Mr. Lott	Mr. S. Smith	
Mr. Hand	Mr. Mitchell	Mr. Wheeler	
Mr. Johnson	Mr. Porter	Mr. Williams	12

Thereupon,

The said amendments to said bill were ordered to be engrossed and the said bill to a third reading.

On motion of Mr. Lott,

Said bill with the engrossed amendments was then read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto therewith delivered.

By unanimous consent,

Mr. Denniston from the select committee consisting of the Senators attending the Senate from the second Senate district, to which was referred the bill entitled "An act to authorize Robert R. Morris to build a dam or mound across the Palmer Brook, in the town of Westchester, in the county of Westchester," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize Robert R. Morris, to build a dam or mound across the Palmer Brook, in the town of Westchester, in the county of Westchester," which was ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act in relation to the appointment of the superintendents of the poor in the county of Westchester, and for other purposes,'" and after some time spent thereon, Mr. President resumed the chair, and Mr. S. Smith, from said committee, reported that they had gone through the said bill, and made an amendment thereto, which with the said bill he was directed to report to the Senate, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the supervisors of the county of Lewis, to levy a tax to enlarge and repair the poor house

of said county," and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Schoonhoven, from said committee, reported that they had gone through the said bill, and had directed him to report the same to the Senate without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill from the Assembly entitled "An act to authorize the supervisors of the county of Dutchess, to sell their poor house and farm," and after some time spent thereon, Mr. President resumed the chair, and Mr. Backus, from said committee, reported progress, and asked for and obtained leave to sit again.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to incorporate St. Johns College, Fordham;" also "An act to incorporate the Madison University," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act in relation to writs of error;" also "An act to amend the Revised Statutes, so as to authorize the discharge of persons imprisoned for costs only," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to revive the act incorporating the St. Andrew's Society of the city of Schenectady," which was read the first time, and by unanimous consent was also read a second time, and referred the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act authorizing the board of supervisors of the county of Orange, to restore the distinction between county and town poor," and after some time spent thereon, Mr. President resumed the chair, and Mr. Burnham, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Williams,

The bill relative to the Canandaigua and Corning Railroad, was made the special order of the day for this afternoon at 4 o'clock, after the bill then to be considered.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Polish Slavonian Literary Association in the State of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled "An act for the apportionment of the members of the Assembly," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee of eight, having that subject in charge.

Then the Senate took a recess till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met.

On motion of Mr. Lott,

A call of the Senate was ordered, and on proceeding to call, the following Senators answered to their names.

Mr. Backus	Mr. Folsom	Mr. Putnam
Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Jones	Mr. Sanford
Mr. Chamberlain	Mr. Lester	Mr. Wheeler
Mr. Denniston	Mr. Lott	Mr. Williams
Mr. Emmons	Mr. Mitchell	

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April, 1843;" also the bill entitled "An act to amend an act entitled 'An act in relation to the appointment of superintendents of the poor in the county of Westchester, and for other purposes,'" passed May 6, 1845, which were severally ordered to a third reading.

On motion of Mr. Hand,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex," and that said bill be engrossed for a third reading.

Mr. Lott moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Lott	Mr. Putnam
Mr. Emmons	Mr. Mitchell	

5

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Beekman	Mr. Jones	Mr. Sanford
Mr. Beers	Mr. Lester	Mr. Wheeler
Mr. Folsom		

10

On motion of Mr. Jones,

The bill from the Assembly entitled "An act to provide for . . . p-

pointment of an additional number of commissioners of deeds in and for the city and county of New-York," with the engrossed amendments was read the third time.

Debates being had, but without taking the question on the final passage of said bill, the execution of the special order was called for.

Thereupon,

The Senate again resolved itself into a committee of the whole on the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their railroad from the Connecticut line to the New-York and Harlem Railroad," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A communication was received and read in the words following, to wit:

THE HON. ADDISON GARDINER,

SIR:

The Agricultural Society have usually met every Thursday evening in the Assembly Chamber, for the purpose of discussing Agricultural subjects; but as the Hon. the House of Assembly now hold evening sittings, it becomes necessary to apply to the Hon. the Senate for a similar privilege; will you be good enough to lay the matter before the Senate.

Respectfully yours, &c.

J. B. NOTT, Sec.

Albany, March 11th, 1846.

Mr. Lott moved that the consent of the Senate be granted.

On motion of Mr. Johnson,

The said motion was laid on the table.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex;" which was ordered to a third reading.

The Senate then, pursuant to order, again resolved itself into a committee of the whole, on the bill entitled "An act to amend the charter of the Canandaigua and Corning Railroad Company," and after some time spent thereon, Mr. President resumed the chair, and Mr. Wheeler, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, with amendments.

Mr. Johnson moved to amend said bill by striking out the first section thereof, and inserting instead thereof the following, to wit:

§ 1. The capital stock of the "Canandaigua and Corning Railroad Company," is hereby reduced from 1,600,000 dollars to 800,000 dollars, and the said company are authorized and allowed, so soon as 800,000

of their capital stock shall be subscribed, and the sum required by the act incorporating said company, passed May 14th, 1845, actually paid in on each one hundred dollars subscribed, to have a distribution of the shares among the subscribers, and the several shareholders may proceed to elect directors and otherwise organize as provided in the fourth section of said act, in the same manner as they might have done under the provision of said section, if the whole amount of 1,600,000 dollars as therein provided had been subscribed; and after such organization under the subscription of 800,000 dollars, the company may proceed to contract their road or railway, conforming in all other respects to the provisions of the act hereby amended.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Johnson	Mr. Mitchell
Mr. Clark	Mr. Jones	Mr. Sanford
Mr. Denniston	Mr. Lott	

8

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Wheeler
Mr. Beers	Mr. Putnam	Mr. Williams

9

Mr. Clarked moved to amend said bill by inserting the following as the second section thereof, to wit :

§ 2. All frieght carried over the said road shall pay to the State the same tolls thereon as shall be imposed on the same kinds of freight on the Erie Canal, to be collected and paid in such manner as shall be provided by the Canal Board.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Jones	Mr. Putnam
Mr. Clark	Mr. Lott	Mr. Sanford
Mr. Eminons		

7

FOR THE NEGATIVE.

Mr. Backus	Mr. Beekman	Mr. Beers
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Mr. Denniston
Mr. Folsom
Mr. Johnson

Mr. Lester
Mr. Mitchell
Mr. S. Smith

Mr. Wheeler
Mr. Williams

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Thereupon,

The report of said committee of the whole was agreed to by the Senate, and said bill ordered to be engrossed for a third reading.

On motion of Mr. Folsom,

The vote on the question making the concurrent resolutions in relation to the pilot laws a special order for to-morrow afternoon at four o'clock was reconsidered, and said resolutions were made the special order of the day for Saturday next at 11 o'clock, A. M.

On motion of Mr. Mitchell,

The bill entitled "An act to incorporate the Catskill and Schenectady Railroad Company," was made the special order of the day for Wednesday morning next at 11 o'clock.

Then the Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 19, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The minutes of yesterday having been read and approved,

Mr. Chamberlain presented the remonstrance of 160 inhabitants interested in the slip and basin at Dansville, against the passage of the Assembly bill, unless amended, which was read and referred to the committee on canals.

Mr. Barlow presented the petition of inhabitants of Burlington, Otsego county, for a law relative to the support of the poor in that county, which was read and referred to the committee on the poor laws.

Mr. Sanford presented the petition of Robert H. Morris and others, for the incorporation of the New-York and Offing Magnetic Telegraph Company, which was read and referred to the committee on commerce and navigation.

Mr. Backus presented the remonstrance of occupants and owners of mills and manufacturing establishments on Brown's race in the city of Rochester, against the passage of the Auburn and Rochester Railroad bill, which was read and referred to the select committee, having in charge the bill to which it relates.

Mr. Folsom presented the memorial of the Chamber of Commerce of the city of New-York, against the passage of the joint resolutions relating to pilots, which was read and laid on the table.

[SENATE JOURNAL.]

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Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act in relation to usury," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the usual number of copies of said bill and amendments be printed, and that the same be made the special order of the day for Monday morning next at 11 o'clock.

Mr. Lott, from the same committee, to whom was referred the petition of inhabitants of the county of Dutchess, for a reduction of the rate of interest, &c., reported adverse to the prayer of the petitioners, which was laid on the table.

Mr. Beekman, from the committee on agriculture, to whom was referred the annual report of the Transactions of the State Agricultural Society; asked for and obtained leave to report a motion to print the usual number and 2,250 extra copies of so much of said report and accompanying documents as the executive committee of the State Agricultural Society shall select for publication, for the use of the Legislature and State officers, 500 extra copies thereof, selected as aforesaid, for the State Agricultural Society, 500 copies for the American Institute and 20 copies for each organized county agricultural society in this State.

Mr. Talcott moved to amend said motion by adding thereto the following, to wit: And that the printing be done by the person to whom the Senate printing shall be let by contract under the law of the present session, as soon as the same can be done after such contract shall be perfected in April next.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Emmons
Mr. Johnson

Mr. Lester
Mr. Talcott

Mr. Van Schoonhoven
5

FOR THE NEGATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark

Mr. Denniston
Mr. Folsom
Mr. Hand
Mr. Jones
Mr. Lou
Mr. Mitchell
Mr. Putnam

Mr. Scovil
Mr. Sedgwick
Mr. Sanford
Mr. S. Smith
Mr. Wheeler
Mr. Williams

20

Mr. Johnson offered the following resolution:

Resolved, That the Legislative debates contained in the Agricultural report be stricken out, as also the report of the award of premiums, and also the debates in the American Institute.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Johnson	Mr. Lester	Mr. S. Smith
Mr. Jones		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. Talcott
Mr. Beers	Mr. Lott	Mr. Van Schoonhoven
Mr. Burnham	Mr. Mitchell	Mr. Wheeler
Mr. Chamberlain	Mr. Putnam	Mr. Williams
Mr. Denniston	Mr. Scovil	

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Mr. President then put the question on agreeing to the motion reported by Mr. Beekman, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Denniston	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Johnson	Mr. Lester
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Thereupon,
Ordered, That said report be printed accordingly.

[Senate Document No. 105.]

Mr. Burnham, from the committee on roads and bridges, to whom was referred the petition of inhabitants of New-Lots in Flatbush, Kings county, for an act giving authority to the commissioners of highways to lay out a certain road two rods wide, asked for and obtained leave to report a bill entitled "An act authorizing the commissioners of highways of the town of Flatbush, in Kings county, to lay out a road of two rods in width," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Lott,

Ordered that the same be engrossed for a third reading.

Mr. Burnham, from the same committee, to whom was referred the petition of citizens of Orange county, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to incorporate the Great Island Turnpike Company,' passed April 9, 1813," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. S. Smith,

Ordered, That the said bill be referred to a select committee consisting of the Senators attending the Senate from the Second Senate District, to consider and report complete.

The special orders of the day were suspended until after the reports of committees.

Mr. Folsom, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to incorporate St. John's College, Fordham," reported in favor of the passage thereof, and

On motion of Mr. Beekman,

Said bill was recommitted to the committee on literature to consider and report complete.

Mr. Folsom, from the same committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the Polish Slavonian Literary Association in the State of New-York," reported in favor of the passage thereof, and

On motion of Mr. Sedgwick,

Ordered, That said bill be referred to a select committee, to consist of the Senators attending the Senate from the First Senate District, to consider and report complete.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit: "An act to amend the charter of the Canandaigua and Corning Railroad Company;" also "An act to authorize the New-York and New-Haven Railroad Company to extend their railroad from the Connecticut line to the New-York and Harlem Railroad," which were severally ordered to a third reading.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act incorporating the village of Sag Harbor," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the memorial of trustees of the Seaman's Fund and Retreat, to discharge them from certain claims of the commissioners of health, asked for and obtained leave to report a bill entitled "An act in relation to sick and disabled seamen," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. S. Smith, from the select committee consisting of the Senators attending the Senate from the Second Senate District, reported com-

plete "An act to amend an act entitled 'An act to incorporate the Great Island Turnpike Company,' passed April 9, 1813," without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act authorizing the commissioners of highways of the town of Flatbush, in Kings county, to lay out a road of two rods in width," which was ordered to a third reading.]

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to provide for the reconstruction and alteration of the highway between the village of Herkimer and Middleville, in Herkimer county," which was ordered to a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to revive the act incorporating the St. Andrew's Society of the city of Schenectady," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Jones, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to erect the town of Wright, in the county of Schoharie," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Folsom, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to incorporate the Madison University," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Leave of absence was asked for and granted to Mr. S. Smith, for one week, to Mr. Deyo, for five days, and to Mr. Hard for ten days from this day.

A bill was received from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," with a message, informing that they had concurred in all the amendments of the Senate to said bill, except the fourth subdivision of the first amendment, and that they have non-concurred in said subdivision, which was referred to the committee on finance.

On motion of Mr. Beekman,

The bill entitled "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company," was made the special order of day for Wednesday next at 11 o'clock, A. M., immediately after the special order for that hour.

The execution of the special order of the day relating to private claims being called for,

Mr. Van Schoonhoven moved that the three several bills of the following titles, to wit: "An act to incorporate the Troy Gas Light Company;" also "An act to incorporate the Troy Vulcan Works;" also

"An act to incorporate the New-York Portable Gas Company," be made the special order of the day for Saturday morning next at 11 o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The Senate then again resolved itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of the estate of James Dobbin, deceased," and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Schoonhoven, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which were agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to incorporate the Warren Free Institute in the city of Troy," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit: "An act in relation to sick and disabled seamen;" also "An act to amend an act entitled 'An act to incorporate the Great Island Turnpike Company,' passed April 9, 1813," which were severally ordered to a third reading.

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of John Ferris and Thomas Marvin," and after some time spent thereon, Mr. President resumed the chair, and Mr. Talcott, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment.

Debates being had, but without taking the question on agreeing with said committee of the whole in their report.

On motion of Mr. Backus,

Ordered, That the bill entitled "An act to authorize the establishment of a Lunatic Asylum in Western New-York;" and the bill entitled "An act in relation to the State Lunatic Asylum," be made the special order for Tuesday next, at 11 o'clock.

On motion of Mr. Clark,

Resolved, That a message be sent to the Assembly requesting that the papers on file there in relation to making Trout Brook a public highway, be taken from the files and sent to the Senate.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

On motion of Mr. Sanford,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the Revised Statutes in relation to the appointment of inspectors of hops, fish and oil," and that it be referred to a select committee to consist of the Senators attending the Senate from the First Senate District, to report complete.

Mr. Clark offered the following resolution, which was laid on the table, to wit:

Resolved, That the joint resolutions in relation to Texas and Oregon,

and papers connected therewith, shall be the special order for every afternoon at 4 o'clock, until disposed of.

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., MARCH 20, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McDonough.

The minutes of yesterday having been read and approved,

Mr. Burnham presented the petition of Ralph Burt, a trustee of school district No. 10, in the town of Lincklean, for relief, which was read and referred to the committee on the judiciary.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made sueable in justices' courts, which was read and referred to the select committee of eight, having in charge the bill to which it relates.

Mr. Clark presented the petition of citizens of Warren county, in favor of making Trout Brook a public highway, which was read and referred to a select committee, to consist of the Senators attending the Senate from the Fourth Senate District.

Mr. Van Schoonhoven presented the petition of a large number of citizens of Rensselaer county, for the relief of convicts imprisoned for offences growing out of the relation of landlord and tenant in this State, which was read and referred to the committee on the judiciary.

Mr. Johnson, from the committee on claims, to which was referred the petition of Peter J. Wagner, for relief, with the report of the Canal Commissioners thereon, made a written report, and asked for and obtained leave to report for the consideration of the Senate a bill entitled "An act for the relief of Peter J. Wagner," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill, respectively, be printed.

[See Senate Document No. 99.]

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the relief of the estate of James Dobbin, deceased," which was ordered to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was re-committed the bill from the Assembly entitled "An act to incorporate

St. John's College, Fordham," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to authorize the Canal Board to assume in behalf of the State, the Dansville slip and basin," reported the same for the consideration of the Senate, with amendments, was which committed to a committee of the whole.

Mr. Hand, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," with the amendments of the Senate thereto, and the message of the Assembly, informing that they had concurred in all of said amendments, except the fourth subdivision of the first amendment, reported the same for the consideration of the Senate, which was laid on the table.

The Senate then, pursuant to order, again resolved itself into a committee of the whole, on the bill entitled "An act to repeal the act to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843," and the act to amend the same, passed March 7, 1845," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Sanford,

The vote making two several bills relative to the New-York Equitable Insurance Company and the Mutual Insurance Company of the city of New-York, the special order for this afternoon at four o'clock, was reconsidered, and said bills were made the special order for Monday afternoon next, at four o'clock.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of Stephen Warren, John Townsend and Erastus Corning, for that purpose, asked for and obtained leave to report a bill entitled "An act authorizing trusts for the benefit of the owners and occupants of mill privileges on the Wynant's Kill," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Van Schoonhoven,

Said bill was made the special order for Monday afternoon next, immediately after the two bills last above mentioned.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act appointing a commissioner to transcribe certain mortgages for loans in Tioga county," reported in favor of the passage of the same, with amendments, which were committed to a committee of the whole.

Mr. Lott from the select committee consisting of the Senators attending the Senate from the first Senatorial district, to which was referred the bill from the Assembly entitled "An act to incorporate the Polish Slavonian Literary Association in the State of New-York," to report complete, reported the same with amendments, which report was

agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lott, from the same select committee, to whom was referred the bill entitled "An act to amend section twenty of title fifth, chapter fifth, part first of the Revised Statutes, in relation to the appointment of inspectors of hops, fish and oil," to consider and report complete, reported the same with amendments, and changing the title so as to read as follows: "An act in relation to the appointment of inspectors of hops, fish and oil," which report was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Then the Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., MARCH 21, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The minutes of yesterday having been read and approved,

Mr. Van Schoonhoven presented the petition of citizens of Columbia county, for the relief of convicts imprisoned for offences growing out of the relation of landlord and tenant in this State, which were read and referred to the committee on the judiciary.

Mr. Denniston presented two several remonstrances against a repeal of the Somerstown road act, passed May 13, 1845, which was read and referred to the committee on roads and bridges.

Mr. Emmons presented the remonstrance of forty-one chiefs of the Seneca nation, against any amendments of the law of 1845, in relation to them, which was read and referred to the committee on Indian affairs.

Mr. Folsom presented the remonstrance of the Marine Insurance Company of the city of New-York, against the passage of the Assembly resolutions relative to pilots, which was read and laid on the table.

Mr. J. B. Smith presented the petition of inhabitants of Suffolk county, for a law to prevent fires along the track of the Long-Island Railroad, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Denniston, from the committee on canals, to whom were referred the several petitions for the completion of the Oneida river improvement, asked for and obtained leave to report a bill entitled "An act in relation to the Oneida river improvement," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

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On motion of Mr. Talcott,

Said bill was made the special order of the day for Wednesday morning next, at 11 o'clock.

Mr. Denniston, from the same committee, to whom were referred sundry petitions of inhabitants of Oswego county, for a law authorizing the Canal Commissioners to rebuild the big dam lock on the Oswego Canal, when the same shall be rebuilt, of the same size with the lock called the Mud lock on said canal, and of the enlarged locks on the Erie Canal, reported adverse to the prayer of the petitioners, which was laid on the table.

Mr. Denniston, from the same committee, to whom was referred the petition of citizens of the city of Rochester, for that purpose, asked for and obtained leave to report a bill entitled "An act to provide for building a bridge across the Genesee Valley Canal at Clay-street, in the city of Rochester."

Mr. Chamberlain then moved to recommit said bill, with instructions that said committee report a bill for the prosecution and completion of all the unfinished works on the Canals of this State.

Thereupon,

On motion of Mr. Clark,

Ordered, That the whole subject be laid on the table.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition of the trustees and associates of the Brooklyn Benevolent Society, for an amendment of their act of incorporation, reported "An act to amend 'An act to incorporate the trustees and associates of the Brooklyn Benevolent Society,' passed May 10, 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered engrossed for a third reading.

The hour of half past 10 having arrived, Mr. Putnam moved that all the special orders of the day be suspended until 12 o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Putnam	Mr. Spencer
Mr. Emmons	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sanford	Mr. Wheeler
Mr. Jones	Mr. J. B. Smith	Mr. Williams
Mr. Lester		

13

FOR THE NEGATIVE.

Mr. Backus	Mr. Denniston	Mr. Porter
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Young
Mr. Clark	Mr. Mitchell	

11

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the appointment of inspectors of hops, fish and oil," which was ordered to a third reading.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print the report of John Wilkinson, in answer to a resolution of the Senate, reported in favor of printing the usual number of copies thereof, which was agreed to by the Senate.

Thereupon,

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 103.]

Mr. Hand, from the committee on grievances, to whom was referred the petition of Claudius C. Becket, an alien, to hold real estate, asked for and obtained leave to report a bill entitled "An act for the relief Claudius C. Becket, an alien," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Hand, from the same committee, to whom was referred the petition of Edwin B. Strange, an alien, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act for the relief of Edwin B. Strange, an alien," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of the last two mentioned bills and report, be printed.

[See Senate Document No. 100.]

Mr. Hand, from the same committee, to whom was recommitted the engrossed bill entitled "An act for the relief of Westfall May and others," reported against the passage thereof, and asked for and obtained leave to report a new bill with the same title, which was read the first time, and by unanimous consent was also read a second time, and with said first mentioned bill, committed to a committee of the whole.

Ordered, That the usual number of copies of said new bill be printed.

On motion of Mr. Jones,

Resolved, That the Senate request a committee of conference on the amendments to the bill entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," which are the subject of disagreement between the two Houses, and in case the Assembly consent thereto, that Mr. Jones, Mr. Hand and Mr. Clark, be of the said committee on the part of the Senate.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

Mr. Williams, from the select committee consisting of the Senators attending the Senate from the Seventh Senate district, to which was refer-

red the bill entitled "An act for the relief of the Auburn and Rochester Railroad Company," to consider and report complete, reported the same with amendments, without taking the question on agreeing with said committee in their report.

A message was received from the Governor, informing that he had on the 19th inst., approved and signed the bill entitled "An act to incorporate the Warren Free Institute in the city of Troy."

A message was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 17th inst., relative to carpeting the State Library rooms.

Ordered, That the Clerk deliver a copy of said resolution to the Secretary of State.

A message was received from the Assembly, transmitting to the Senate pursuant to their request, the papers from their files in relation to making Trout Brook a public highway, which papers were read and referred to the select committee consisting of the Senators attending the Senate from the Fourth Senate District, having that subject in charge.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Hudson Orphan and Relief Association," which was read the first time, and by unanimous consent was also read a second time, and to referred the committee on charitable and religious societies.

The report of the Commissioners of the Canal Fund of the omission of certain railroads to pay toll on freight, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 106.]

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the three several bills of the following titles, to wit: "An act to amend an act entitled 'An act relating to documentary evidence,' passed May 14, 1845;" also "An act in relation to pleading in certain cases;" also "An act to authorize the county clerks to procure new indexes in certain cases for the books of record of deeds and mortgages," and that the same be referred to the committee on the judiciary, to consider and report complete.

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act authorizing and regulating a ferry across Lake Champlain, at Westport, in the county of Essex," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the Fourth Senate District, to consider and report complete.

On motion of Mr. Putnam,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the ju-

isdiction of the justices court," and that the same be ordered engrossed for a third reading.

On motion of Mr. Putnam,

Ordered, That the bill entitled "An act to punish seduction and adultery, and for other purposes," be made the special order of the day for Tuesday next at 11 o'clock, A. M., and on every succeeding day at the same hour.

On motion of Mr. Talcott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act authorizing the trustees of school district number ten, in the town of Little-Falls, to borrow money to build a school house," and that the same be ordered to a third reading.

On motion of Mr. Backus,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Cyril Carpenter, Isaac Joslyn and Isaac Barns, now or late of district number ten in the town of Sweden," and that the same be referred to the committee on literature, to consider and report complete.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend the charter of the Gilboa and Potters Hollow Turnpike Road Company," and that the same be referred to a select committee, consisting of the Senators attending the Senate from the Third Senate District, to consider and report complete.

On motion of Mr. Lott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to confirm certain trusts therein specified," and that the same be ordered to a third reading.

On motion of Mr. Emmons,

Ordered, That the bill entitled "An act to legalize and make valid certain conveyances and trusts for the community of True Inspiration," be made the special order of the day for Saturday next at 11 o'clock, A. M.

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to enable the dispensaries of the city of New-York, to extend their benefits,' passed April 21, 1841," and that the same be ordered engrossed for a third reading.

The report of the Comptroller in answer to a resolution of the Senate, relating to payments to the Attorney-General for extra services, was received, read and laid on the table.

Ordered, That the usual number of copies of said report be printed.

On motion of Mr. Wheeler,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend the law in relation to common schools," and that the same be referred to the committee on Indian affairs, to consider and report complete.

Mr. Jones moved that the further consideration of the concurrent resolutions relative to the New-York Pilots, be made the special order for Tuesday afternoon next, at 4 o'clock.

Mr. Folsom moved to amend said motion by making said resolution a special order for Saturday morning next, at 11 o'clock.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

Mr. Folsom then moved to amend said motion by striking out "Tuesday afternoon next at 4 o'clock," and inserting instead thereof the words "Thursday morning next at 11 o'clock."

Mr. Clark asked a division of the question.

Mr. President then put the question on striking out, and it was decided in the negative.

Without taking the question on agreeing to said motion of Mr. Jones, to make said resolution a special order,

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend an act to incorporate the trustees and associates of the Brooklyn Benevolent Society," passed May 10, 1845, which was ordered to a third reading.

On motion of Mr. Denniston,

The Senate proceeded to the further consideration of the concurrent resolution heretofore reported by him, from the committee on canals, relative to the locks and side cut at the termination of the Erie Canal opposite to the city of Troy.

Debates being had thereon to the hour of twelve, but without taking the question.

Mr. J. B. Smith moved that the special orders of the day be further suspended till 1 o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Scovil	Mr. Van Schoonhoven
Mr. Denniston	Mr. Sanford	Mr. Wheeler
Mr. Folsom	Mr. J. B. Smith	Mr. Williams
Mr. Putnam	Mr. Spencer	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Clark	Mr. Emmons
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Mr. Hand
Mr. Johnson
Mr. Lott

Mr. Mitchell
Mr. Porter
Mr. Sedgwick

Mr. Talcott
Mr. Young

11

The Senate then again, pursuant to order, resolved itself into a committee of the whole, on the bill entitled "An act to repeal the act entitled 'An act to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843,' and the act to amend the same, passed March 7, 1845," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Clark,

Ordered, That the usual number of the amendments offered to said bill in committee of the whole, be printed.

A message was received from the Assembly, informing that they had consented to the appointment of a committee of conference on the subject of disagreement between the two Houses, upon the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," and that Messrs. Stevenson, Worden, Rogers, Dean and Tafft, had been appointed such committee on the part of that House.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills of the following titles, to wit: "An act to amend an act entitled 'An act to enable the dispensaries of the city of New-York, to extend their benefits,' passed April 21, 1841;" and also "An act in relation to the jurisdiction of the justice's court," which were severally ordered to a third reading.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Cornelia L. Lillie and Eben A. Hall," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Then the Senate adjourned to 10 o'clock on Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH, 23, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of Saturday having been read and approved,

Mr. Scovil, from the committee on canals, asked for and obtained leave to report a bill entitled "An act in relation to the tolls of the Canals," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Scovil,

Said bill was made the special order for Monday next, at 11 o'clock.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Hudson Orphan and Relief Association," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. J. B. Smith, from the committee on agriculture, to whom was referred the resolution of the Farmer's Club of Yates County, for the establishment of an agricultural school, &c., in western New-York, reported adverse to the prayer of said resolution, which was agreed to by the Senate.

Thereupon,

Resolved, That the committee be discharged from the further consideration of said resolution.

Mr. Chamberlain, from the committee on Indian affairs, to whom were referred sundry petitions for amendments to the law of 1845, relating to the Seneca Indians; also sundry remonstrances against the same, asked for and obtained leave to report a bill entitled "An act in relation to the Indians residing on the Cattaraugus and Allegany reservations," which was read the first time, and by unanimous consent was read a second time, and agreed to by the Senate, and ordered engrossed for a third reading.

Mr. Putnam, from the committee on the judiciary, to whom was referred the bill entitled "An act in relation to pleading in certain cases," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Mr. Putnam, from the same committee, to whom was referred the bill entitled "An act to authorize the county clerks to procure new indexes in certain cases for the books of record of deeds and mortgages," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Mr. Putnam, from the same committee, to whom was referred the bill entitled "An act to amend an act entitled 'An act relating to documentary evidence,' passed May 14, 1845," to consider and report complete, reported the same with amendments, and changing the title so as to read "An act in addition to an act entitled 'An act relating to documentary evidence,' passed May 14, 1845," which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Chamberlain, from the committee on Indian affairs, to whom was referred the bill from the Assembly entitled "An act to amend the law in relation to common schools," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act for the relief of Cyril

Carpenter, Isaac Josleyn and Isaac S. Barnes, now or late trustees of district number ten in the town of Sweden," to consider and report complete, reported the same complete with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Jones, from the committee of conference, on the subject of disagreement between the two Houses, upon the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," reported the same with amendments, which was laid on the table.

Mr. Clark asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the Canal Board," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

By unanimous consent,

On motion of Mr. Lott,

Resolved, That a respectful message be sent to the Hon. the Assembly, requesting them in case any papers or evidence were before them, in relation to the bill for the relief of Cornelia A. Lillie and Eben A. Hall, other than the petition and the certificate of the marriage of the parties, to transmit the same to the Senate.

Mr. Spencer asked for and obtained leave of absence for Mr. Barlow, for one week from Saturday.

Mr. Eminons from the select committee consisting of the Senators attending the Senate from the Eighth Senate district, to which was referred the bill entitled "An act to incorporate the village of Ebenezer, in the county of Erie," to consider and report complete, reported the same with an amendment, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Mr. Hand, from the committee on State prisons, to whom had been referred sundry petitions, asked for and obtained leave to report a bill entitled "An act to build an armory for the guards at Auburn State Prison, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

The hour of half past 10 having arrived,

On motion of Mr. Folsom,

The special orders of the day were suspended till twelve o'clock.

The Senate then proceeded to the further consideration of the report of the committee of the whole on the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845."

The first three sections of said bill as reported by the committee of the whole, were then read in the words following, to wit :

An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845."

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. The eighth section of the "Act to enforce the laws and preserve order," passed April 15, 1845, is hereby amended so as to read as follows: such guard shall receive as a compensation for their services, such per diem allowance as shall have been agreed upon at the time of their employment, or at any time afterwards, not exceeding, however, the sum of one dollar per day for each private, and for each officer such sum as shall have been agreed on, not exceeding two dollars per day; and for each horse employed singly not exceeding one dollar per day, and for each two horse team, not exceeding three dollars per day.

§ 2. The provisions of section one of this act shall relate back to the 15th day of April, 1845, so as to include expenses of horses and teams.

- § 3. All the necessary expenses incurred by the sheriff of the county of Delaware, from and including the seventh day of August, 1845, to and including the twenty-second day of December, 1845, in the execution of process and preservation of order, in the protection of the jail or prison in said county, in the arrest, detention and safe-keeping of any prisoner or prisoners, or to enforce any process, judgment, or order of any court in said county, and in procuring the necessary arms and munitions for such purposes, including a compensation for the persons, horses and teams employed, at the following rates, to wit: For each person the sum of eighty-seven and a half cents per day; for each horse, the sum of sixty-two and a half cents per day; for each two horse team, including a wagon or other vehicle, a reasonable compensation, not exceeding the sum of three dollars per day; for each one horse team, including a wagon or other vehicle, a like reasonable compensation, not exceeding the sum of one dollar and twenty-five cents per day, together with the necessary expenses incurred for the support and subsistence of the men and horses, shall be audited and allowed by the Comptroller to the said sheriff, and when so audited and allowed, he shall draw his warrant for the payment thereof on the Treasurer, and the Treasurer shall pay the same out of any moneys not otherwise appropriated; and the county of Delaware shall be released and discharged therefrom.

Mr. Clark moved to amend said report by striking out the first section.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Chamberlain

Mr. Clark

Mr. Jones

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FOR THE NEGATIVE.

Mr. Backus	Mr. Lester	Mr. Spencer
Mr. Deaniston	Mr. Lott	Mr. Talcott
Mr. Emmons	Mr. Porter	Mr. Wheeler
Mr. Folsom	Mr. Putnam	Mr. Williams
Mr. Hand	Mr. Sedgwick	Mr. Young
Mr. Johnson	Mr. Sanford	

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Mr. Clark then moved to amend said first section by striking out the words "one dollar" in the eighth line thereof, and inserting "sixty-two and a half cents" instead thereof.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. Putnam
Mr. Chamberlain	Mr. Lott	Mr. J. B. Smith
Mr. Clark		

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FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Denniston	Mr. Lester	Mr. Wheeler
Mr. Emmons	Mr. Porter	Mr. Williams
Mr. Folsom	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. Sanford	

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On motion of Mr. Clark,

Said first section was amended by inserting the words "and driver," after the word "team" in the ninth line thereof.

Mr. Clark then moved to amend by striking out the second section of said bill.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lester	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Young
Mr. Emmons	Mr. Sanford	

11

FOR THE NEGATIVE.

Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Folsom	Mr. Porter	Mr. Talcott
Mr. Johnson	Mr. Sedgwick	Mr. Williams

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Mr. Lott then moved to amend the third section of said bill as reported, by striking out "22d day of December," and inserting instead thereof, "27th day of August."

Mr. President put the question on agreeing to the said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Van Schoonhoven
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Putnam	Mr. Young
Mr. Clark	Mr. Sanford	

14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Williams
Mr. Hand	Mr. Sedgwick	

11

Mr. Johnson moved to reconsider the vote just taken, which motion was laid on the table.

On motion of Mr. Folsom,

The special orders of the day were suspended and the Senate proceeded to the third reading of bills.

Thereupon,

The engrossed bill entitled "An act for the relief of Ebenezer Murdock," was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The bill from the Assembly entitled "An act relative to assessors in the town of Newburgh, in the county of Orange," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, with a message informing that they have passed the same with the amendments thereto therewith delivered.

The engrossed bill entitled "An act in relation to common schools in the village of Rome," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Beers	Mr. Chamberlain
Mr. Beekman	Mr. Burnham	Mr. Clark

Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Eminona	Mr. Putnam	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Wheeler
Mr. Hand	Mr. Sanford	Mr. Williams
Mr. Jones	Mr. J. B. Smith	Mr. Young
Mr. Lott	Mr. Spencer	

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The engrossed bill entitled "An act in relation to the Natural History of the State," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Sedgwick	Mr. Young
Mr. Folsom		

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The engrossed bill entitled "An act granting to Horace D. Swan, the privilege of establishing and maintaining a ferry across the Allegany river," was read the third time and passed.

Ordered, That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence in the same respectively.

The bill from the Assembly entitled "An act to incorporate the Polish Slavonian Literary Association in the State of New-York," was read the third time.

Thereupon, on motion of Mr. Clark,

Said bill was recommitted to the committee on literature.

On motion of Mr. Van Schoonhoven,

The committee of the whole were discharged from the further consideration of the bill entitled "An act authorizing trusts for the benefit of the owners and occupants of mill privileges on the Wynants Kill," and said bill was ordered to be engrossed for a third reading.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed four several bills with the following titles, to wit: "An act to authorize the county clerks to procure new indexes in certain cases for the books of records of deeds and mortgages;" also "An act in relation to pleading in certain cases;" also "An act in relation to an act entitled 'An act relating to documentary evidence,' passed May 14, 1845;" also "An act in relation to the Indians residing on the Cattaraugus and Allegany Reservations," which were severally ordered to a third reading.

Then the Senate took a recess till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met.

A bill was received from the Assembly for concurrence entitled "An act to confirm the proceedings of the joint school district, composed of district number five in Adams, and district number six in the town of Henderson, in the county of Jefferson," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence entitled "An act for the relief of Thomas Beavan;" also "An act for the relief of Simeon Rogers," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on claims.

Three several bills were received from the Assembly for concurrence entitled "An act to amend and extend the provisions of the act entitled 'An act in relation to the Seventh Day Baptists,' passed May 7th, 1839;" also "An act to provide for the appointment of a supreme court commissioner to reside at Hornellsville;" also "An act concerning the district attorney of the county of Jefferson," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Four several bills were received from the Assembly for concurrence entitled "An act to amend the act entitled 'An act to improve the road from Ogdensburgh to Canton, in the county of St. Lawrence,' passed April 26, 1831;" also "An act to equalize the expenses of supporting all bridges over the Black river, which are now or may hereafter be supported at the joint expense of the towns of Pamela and Watertown, in the county of Jefferson;" also "An act to provide for levying a tax on the town of Massena, for building a bridge;" also "An act for the more equal assessment of highway labor in the village of Syracuse, Salina, Geddes and Liverpool, and in the town of Salina," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

On motion of Mr. Jones,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the collection of militia fines," and that said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act in relation to the New-York Equitable Insurance Company," and after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported that they had gone through said bill, made an amendment thereto, which with the said bill he was directed to report to the Senate, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the

bill entitled "An act in relation to usury," and after some time spent thereon, Mr. President resumed the chair, and Mr. Beekman, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Lott,

Said bill was made the special order for to-morrow afternoon at four o'clock.

On motion of Mr. Folsom,

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," and after some time spent thereon Mr. President resumed the chair, and Mr. Beers, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Putnam,

The Senate then resolved itself into a committee of the whole on the bill entitled "An act in relation to district attorneys, and to prevent their law partners from acting as counsel in certain cases," and after some time spent thereon, Mr. President resumed the chair, and Mr. J. B. Smith, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed three several bills entitled "An act authorizing trusts for the benefit of the owners and occupants of mill privileges on the Wynants Kill;" also "An act in relation to the collection of militia fines;" also "An act to incorporate the village of Ebenezer, in the county of Erie," which were severally ordered to a third reading.

A bill was received from the Assembly for concurrence entitled "An act relative to assessors in the town of Newburgh, in the county of Orange," with a message, informing that they had concurred in the amendments of the Senate thereto, and had amended said bill accordingly.

Said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

On motion of Mr. Porter,

The Senate then resolved itself into a committee of the whole on the bill entitled "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company," and after some time spent thereon, Mr. President resumed the chair, and Mr. Hand, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Then the Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 24, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schneller.

The minutes of yesterday having been read and approved.

Mr. Denniston presented the remonstrance of the heirs at law of John Hartman, deceased, against taking a stream of water which runs through their farm, for the use of the Dansville slip and basin, without their consent and without compensation, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company."

Thereupon,

On motion of Mr. Johnson,

Said bill was recommitted to the committee on finance.

Mr. Lester, from the same committee, reported as correctly engrossed three several bills entitled "An act in relation to district attorneys, and to prevent their law partners from acting as counsel in certain cases;" also "An act in relation to the New-York Equitable Insurance Company;" also "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," which were severally ordered to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to confirm the proceedings of the joint school district, composed of district number five in Adams, and district number six in the town of Henderson, in the county of Jefferson," reported in favor of the passage thereof, which bill was recommitted to said committee to consider and report complete.

On motion of Mr. Jones,

The Senate proceeded to the further consideration of the report of the committee of conference, on the subject of disagreement between the two Houses, upon the bill from the Assembly entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers,"

Mr. President put the question on agreeing with said committee in their report, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus

Mr. Beers

Mr. Burnham

Mr. Folsom

Mr. Jones

Mr. Lester

Mr. Lott

Mr. Sanford

Mr. J. B. Smith

FOR THE NEGATIVE.

Mr. Beekman	Mr. Porter	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Denniston	Mr. Spencer	Mr. Williams
Mr. Emmons	Mr. Talcott	Mr. Young
Mr. Hand		

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Mr. Jones moved to reconsider the last vote, which motion was laid on the table.

Mr. Folsom, from the committee on literature, to whom was re-committed the bill from the Assembly entitled "An act to incorporate the Polish Slavonian Literary Association in the State of New-York," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. J. B. Smith,

The special order of the day was suspended, and the Senate proceeded to the third reading of bills.

The bill from the Assembly entitled "An act to incorporate the village of Sag-Harbor," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Porter	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Emmons	Mr. Sanford	

23

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

On motion of Mr. Lott,

Mr. President put the question on the final passage of the engrossed bill entitled "An act to incorporate the North Blenheim and Broome Turnpike Company," and the same was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Beers	Mr. Chamberlain
Mr. Beekman	Mr. Burnham	Mr. Clark

Mr. Denniston
Mr. Emonons.
Mr. Folsom
Mr. Hand
Mr. Jones
Mr. Lott

Mr. Porter
Mr. Putnam
Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith

Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

By unanimous consent,

Mr. Beekman, from the committee on railroads, to whom was referred the bill entitled "An act to extend the time for constructing the Goshen and Albany Railroad," reported in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

The bill from the Assembly entitled "An act to incorporate the Polish Slavonian Literary Association in the State of New-York," with the engrossed amendments, was read the third time and passed two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Emonons

Mr. Folsom
Mr. Hand
Mr. Johnson
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sedgwick
Mr. Sanford

Mr. J. B. Smith
Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams
Mr. Young

23

FOR THE NEGATIVE.

Mr. Lester

1

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to provide for the appointment of an additional number of commissioners of deeds in and for the city and county of New-York," with the engrossed amendments, and it was passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

The Senate then proceeded to the further consideration of the question on the final passage of the engrossed bill entitled "An act in relation to judgments and executions."

After debates thereon,

On motion of Mr. Scovil,

Said bill was recommitted to a committee of the whole, and made the special order for this afternoon, after the consideration of the bill in relation to usury.

By unanimous consent,

Mr. Van Schoonhoven presented the memorial of the New-York National Reform Association, in behalf of the imprisoned anti-renters, which was read and referred to the committee on the judiciary.

Mr. Johnson, from the select committee, consisting of the Senators attending the Senate from the Third Senate District, to whom was referred the bill from the Assembly entitled "An act to amend the charter of the Gilboa and Potter's Hollow Turnpike Road Company," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Then the Senate took a recess till 4 o'clock.

FOUR O'CLOCK, P. M.

The Senate met.

On motion of Mr. Johnson,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to change the name of Augusta Smith, to Augusta Eliza French," and the same to a third reading.

The Senate then pursuant to order again resolved itself into a committee of the whole, on the bill entitled "An act in relation to usury," and after some time spent thereon, Mr. President resumed the chair, and Mr. Emmons, from said committee reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Porter,

Ordered, That the amendments offered to said bill in committee of the whole be printed, and that said bill be made the special order of the day for to-morrow afternoon at 4 o'clock.

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to perpetuate the evidence of the death of Nicolaas Van Staphorst and others," and that said bill be engrossed for a third reading.

The Senate then, pursuant to order, resolved itself into a committee of the whole, on the bill entitled "An act in relation to judgments and executions," and after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported that they had

gone through the bill, and had directed him to report the same to the Senate, with amendments.

Mr. Scovil moved to amend the report of said committee, by inserting the following as a new section to said bill.

§ 2. When the amount, exclusive of costs, recovered before a justice of the peace, shall be fifty dollars or over, execution may issue immediately on the entry of judgment, but no property shall be sold on such execution until after the expiration of forty days from the time of the entry of judgment.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain
Mr. Clark
Mr. Emmons

Mr. Folsom
Mr. Scovil

Mr. Wheeler
Mr. Williams

7

FOR THE NEGATIVE.

Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Hand
Mr. Lott
Mr. Porter

Mr. Putnam
Mr. Spencer
Mr. Talcott

9

A quorum not voting thereon,
On motion of Mr. Chamberlain,

The Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 25, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of yesterday having been read and approved,

A message was received from the Assembly, transmitting to the Senate pursuant to their request, the testimony taken before them in relation to the bill for the relief Cornelia L. Lillie and Eben A. Hall, which was read and referred to the committee on the judiciary.

Three several bills were received from the Assembly entitled "An act to incorporate the Polish Slavonian Literary Association in the State of

New-York ;" also "An act to provide for the appointment of an additional number of commissioners of deeds in and for the city and county of New-York ;" also "An act to incorporate the village of Sag-Harbor," with a message, informing that they had concurred in the amendments of the Senate to said bills respectively, and had amended the same accordingly.

The said several amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Johnson presented the petition of citizens of Albany, in relation to the basin in said city, which was read and referred to the committee on finance.

Mr. Burnham presented the remonstrance of inhabitants of Sherburne, Chenango county, against the passage of the bill now before the Senate to amend the excise law, allowing certain persons to sell wines, which was read and referred to the committee on the poor laws.

Mr. Sanford presented the petition of the Grand Inquest of the city and county of New-York, for an act in relation to jurors, which was read and referred to the committee on the judiciary.

Mr. Denniston, from the committee on canals, to whom was referred the bill entitled "An act to reduce the expense of canal superintendence and repairs," reported in writing against the passage thereof, which was laid on the table.

Ordered, That the usual number of copies of said bill and report, respectively, be printed.

[See Senate Document No. 104.]

Mr. Talcott moved that 750 extra copies of said report be printed, which motion was referred to the committee on public printing.

The hour of half past 10 having arrived, Mr. Williams moved that the special order of the day be suspended, for the purpose of taking the question on agreeing with the select committee in their report upon the bill entitled "An act for the relief of the Auburn and Rochester Railroad Company."

Mr. Jones asked a division of the question.

Mr. President then put the question on suspending the special order, and it was decided in the affirmative.

Mr. President put the question on agreeing to the remaining branch of said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus

Mr. Chamberlain

Mr. Emmons

Mr. Folsom

Mr. Lott

Mr. Putnam

Mr. Spencer

Mr. Williams

FOR THE NEGATIVE.

Mr. Beers	Mr. Hand	Mr. Sedgwick	
Mr. Burnham	Mr. Johnson	Mr. J. B. Smith	
Mr. Denniston	Mr. Jones	Mr. Talcott	
Mr. Devo	Mr. Lester	Mr. Wheeler	12

On motion of Mr. Sedgwick,

Ordered, That the special order of the day was suspended until that order of business be reached.

Mr. Talcott, from the committee on public printing, to whom was referred the motion to print 750 extra copies of Mr. Denniston's report, on the bill relative to the superintendence and repairs on the canals, reported in favor of said motion.

Mr. Chamberlain moved to lay said report on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Putnam	
Mr. Burnham	Mr. Eminous	Mr. Wheeler	6

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sanford	
Mr. Beers	Mr. Lester	Mr. J. B. Smith	
Mr. Deyo	Mr. Lott	Mr. Spencer	
Mr. Folsom	Mr. Porter	Mr. Talcott	
Mr. Hand	Mr. Sedgwick		14

The report was then agreed to by the Senate.

Thereupon,

Ordered, That 750 extra copies of said report be printed.

[See Senate Document No. 104.]

Mr. Porter, from the committee on finance, to whom was recommitted the engrossed bill entitled "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was re-committed the bill from the Assembly entitled "An act to confirm the proceedings of the joint school district, composed of district number five in Adams, and district number six in the town of Henderson, in the

county of Jefferson," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to perpetuate evidence of the deaths of Nicolaas Van Staphorst and others," which was ordered to a third reading.

Mr. Backus, from the committee on medical societies and medical colleges, asked for and obtained leave to report a bill entitled "An act to authorize the establishment of an Asylum for Idiots," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Backus, from the same committee, to whom was referred the petitions of inhabitants of Cayuga county, for that purpose made a written report thereon, and asked for and obtained leave to report a bill entitled "An act incorporating the Homœopathic College of Western New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[See Senate Document No. 100.]

Mr. Wheeler moved that 500 extra copies of said report be printed, which motion was referred to the committee on public printing.

Mr. Burnham, from the committee on roads and bridges, to whom were referred two several bills from the Assembly entitled "An act to provide for levying a tax on the town of Massena, for building a bridge;" also "An act to amend the act entitled 'An act to improve the road from Ogdensburgh to Canton in the county of St. Lawrence,' passed April 26, 1831," reported in favor of the passage of said bills respectively, without amendment, which were committed to a committee of the whole.

On motion of Mr. Putnam,

Ordered, That the committee on commerce and navigation be discharged from the further consideration of four several petitions of inhabitants of Niagara county, for the incorporation of the Niagara Canal and Hydraulic Company, and that the same be referred to the committee on canals.

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the concurrent resolution heretofore reported by the committee on canals, which was read in the words following, to wit :

Resolved, (if the Assembly concur,) That the Canal Board be required to cause a plan to be prepared for reconstructing the locks and the upper side cut from the Erie Canal to the Hudson river at West-Troy, on the present site or on some site near by, and for improving

the navigation from the Erie Canal at that place, into the river, together with an estimate of the expense of said works, and to submit the same to the next Legislature.

Mr. Chamberlain moved to amend said resolution by inserting after the word "river" in the 5th line thereof, the words following, to wit :

Also to cause an estimate to be made for improving the Erie Canal according to a report made by Mr. Seymour, in 1844, Assembly Document No. 177 ; also what difference would be made in the cost of transportation by such improvement ; also report the capacity of the Erie Canal in its present condition, and its capacity when improved according to said report, and submit the same to the next Legislature.

Mr. Clark moved to postpone the further consideration of the whole subject, till the 2d Tuesday in June next.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Burnham	Mr. Johnson	Mr. Sanford
Mr. Clark	Mr. Jones	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Deyo	Mr. Porter	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Scovil	

11

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Niagara Fall's Ferry Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Asenath Mongan," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the village of Cold Springs," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate proceeded to the third reading of bills.

The bill from the Assembly entitled "An act to repeal 'An act for

the preservation of trout in the Owasco lake,' passed April 23, 1844," was read the third time and passed.

The bill from the Assembly entitled "An act relating to part of the Bedford Road in the city of Brooklyn," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Scovil	Mr. Williams 24

The bill from the Assembly entitled "An act in relation to Carll-street in the city of Brooklyn," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Scovil	Mr. Williams 24

The bill from the Assembly entitled "An act to authorize the supervisors of the county of Lewis, to levy a tax to enlarge and repair the poor house of said county," was read the third time and passed.

Ordered, That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The engrossed bill entitled "An act to authorize Robert R. Morris, to build a dam or mound across the Palmer Brook, in the town of Westchester, in the county of Westchester," was read the third time.

On motion of Mr. J. B. Smith,

Ordered, That the question on the final passage of the said bill do lie upon the table.

The engrossed bill entitled "An act to amend an act entitled 'An act in relation to the appointment of superintendents of the poor in the county of Westchester, and for other purposes,' passed May 6, 1845,"

was read the third time, and the question on the final passage thereof laid on the table.

On motion of Mr. J. B. Smith,

Mr. President put the question on the final passage of the engrossed bill entitled "An act to authorize Robert R. Morris, to build a dam or mound across the Palmer Brook, in the town of Westchester, in the county of Westchester," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Denniston	Mr. Sedgwick	Mr. Williams
Mr. Deyo		

22

FOR THE NEGATIVE.

Mr. Johnson

1

The engrossed bill entitled "An act relative to the State Library," was read the third time and passed.

The engrossed bill entitled "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Beekman	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hand	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams

24

The engrossed bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex," was read the third time and passed.

The engrossed bill entitled "An act to authorize the New-York and

New-Haven Railroad Company, to extend their railroad from the Connecticut line to the New-York and Harlem Railroad," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Hand	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	

23

FOR THE NEGATIVE.

Mr. Johnson

1

The engrossed bill entitled "An act to provide for the reconstruction and alteration of the highway between the village of Herkimer and Middleville, in Herkimer county," was read the third time and passed.

The engrossed bill entitled "An act to amend an act entitled 'An act to enable the dispensaries of the city of New-York to extend their benefits,' passed April 21, 1841," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Beekman	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hand	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams

24

The engrossed bill entitled "An act authorizing the commissioners of highways of the town of Flatbush, in Kings county, to lay out a road of two rods in width," was read the third time and passed.

Ordered, That the Clerk deliver the last eight mentioned bills to the Assembly, and request their concurrence in the same respectively.

The bill from the Assembly entitled "An act to revive the act incorporating the St. Andrews Society of the city of Schenectady," with the engrossed amendments, was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	Mr. Williams
Mr. Emmons		

22

Ordered, That the Clerk return the last mentioned bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

The bill from the Assembly entitled "An act to incorporate the Madison University," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Beekman	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hand	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams

24

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Johnson moved that the Senate do now proceed to the consideration of executive business.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Folsom	Mr. Porter
Mr. Beers	Mr. Johnson	Mr. Sedgwick
Mr. Deyo	Mr. Lester	Mr. Talcott

9

FOR THE NEGATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Denniston
Mr. Burnham	Mr. Clark	Mr. Emmons

Mr. Jones
Mr. Putnam
Mr. Sanford

Mr. J. B. Smith
Mr. Spencer

Mr. Van Schoonhoven
Mr. Williams

13

Mr. Van Schoonhoven moved to reconsider the vote on the question of postponing to the 2d Tuesday of June next, the further consideration of the concurrent resolution reported by Mr. Denniston, from the committee on canals, relative to the locks and side-cut opposite the city of Troy, together with Mr. Chamberlain's proposed amendment thereto.

Mr. Clark moved to lay said motion on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

Mr. Johnson moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Clark
Mr. Deyo
Mr. Hand

Mr. Johnson
Mr. Jones
Mr. Porter

Mr. Sanford
Mr. J. B. Smith
Mr. Wheeler

10

FOR THE NEGATIVE.

Mr. Beekman
Mr. Chamberlain
Mr. Denniston
Mr. Emmons
Mr. Folsom

Mr. Lester
Mr. Lott
Mr. Putnam
Mr. Sedgwick

Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Williams

13

Mr. Lester then moved to lay said motion to reconsider on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

Mr. Hand then moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Clark
Mr. Folsom

Mr. Hand
Mr. Lott
Mr. Porter

Mr. Sedgwick
Mr. J. B. Smith

8

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmous	Mr. Spencer	Mr. Williams 9

Thereupon,

Said motion to reconsider, was, by unanimous consent, laid on the table.

Mr. Talcott moved that the several special orders for this afternoon be made the special orders for to-morrow afternoon, at 4 o'clock, in the same order as they now stand on the calendar.

Mr. President put the question on agreeing to said motion.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Lott	Mr. Spencer
Mr. Emmons	Mr. Porter	Mr. Talcott
Mr. Folsom	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Hand	Mr. J. B. Smith	Mr. Williams
Mr. Lester		13

FOR THE NEGATIVE.

Mr. Beekman	Mr. Putnam	2
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A quorum of the Senate not voting thereon.

On motion of Mr. Chamberlain,

The Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 26, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schneller.

The minutes of yesterday having been read and approved,

Mr. Lott presented three several petitions of E. K. Collins, John Boardman, H. E. Woodhouse and others, of the city of New-York, in

favor of the concurrent resolutions relating to the pilot system, which were read and laid on the table.

Mr. Jones presented three several petitions of W. W. Wetmore, Seth Kneeland, Wm. Halstead and others, of the same place, for the same purpose, which were read and laid on the table.

Mr. Sanford presented three several petitions of John M. Bloodgood and others, citizens of New-York, for the same purpose, which were read and laid on the table:

Mr. Folsom presented the remonstrance of ship owners of the port of New-York, against the passage of said resolutions, which were read and laid on the table.

Mr. Jones presented the remonstrance of dealers in dry goods in the city of New-York, against imposing a duty upon American goods sold at auction, which was read and laid on the table.

Mr. Sanford presented the remonstrance of Edward Macomber and others, of the city of Brooklyn, against the alteration of Debevoise-street in said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Burnham presented a petition for an act authorizing the appointment of a supreme court commissioner to reside at Greene, Chenango county, which was read and referred to the committee on the judiciary.

Mr. Spencer presented the petition of Spencer H. Stafford, praying for compensation as attorney for the Oneida Indians, which was read and referred to the committee on Indian affairs.

Mr. Spencer presented the petition of sundry inhabitants of Euphrata, in Fulton county, "getters out of staves," praying for the passage of a law making ninety-nine and one staves one hundred, which was read and referred to the committee on grievances.

Mr. Lott, from the committee on the judiciary, to whom were referred two several bills from the Assembly entitled "An act concerning the district attorney of the county of Jefferson;" also "An act to provide for the appointment of a supreme court commissioner to reside at Hornellsville," reported against the passage of said bills respectively, which were severally committed to a committee of the whole.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 500 extra copies of Mr. Backus' report, from the committee on medical societies and medical colleges, relative to a Homœopathic College in Western New-York, reported against said motion, which was agreed to by the Senate.

Mr. Johnson, from the committee on claims, to which was referred the bill from the Assembly entitled "An act for the relief of Thomas Beavan," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Johnson, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the relief Simeon Rogers," reported the same for the consideration of the Senate, with amendments, which was committed to a committee of the whole.

On motion of Mr. Sedgwick,

The Senate proceeded to the further consideration of the report of

the select committee on the bill entitled "An act for the relief of the Auburn and Rochester Railroad Company."

Mr. Lester moved an amendment to said report which was agreed to by the Senate; said report as amended was then agreed to by the Senate, and said bill ordered to be engrossed for a third reading.

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the motion made by him yesterday, to reconsider the vote on the question postponing to the 2d Tuesday of June next, the further consideration of the concurrent resolution relative to locks and side cut at the termination of the Erie Canal, opposite the city of Troy, with Mr. Chamberlain's proposed amendment thereto.

Debates being had thereon to the hour of eleven, and the execution of the special order of the day called for, Mr. Van Schoonhoven moved to suspend the special order.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Scovil	Mr. Van Schoonhoven
Mr. Beekman	Mr. Sedgwick	Mr. Wheeler
Mr. Chamberlain	Mr. J. B. Smith	Mr. Williams
Mr. Elmoms		

10

FOR THE NEGATIVE.

Mr. Beers	Mr. Hand	Mr. Porter
Mr. Clark	Mr. Johnson	Mr. Spencer
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Lott	

11

On motion of Mr. Porter,

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to repeal the act entitled 'An act to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843,' and the act to amend the same, passed March 7, 1845," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments, which was laid on the table.

Mr. Beekman moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. Hand	
Mr. Beekman	Mr. Deyo	Mr. Spencer	
Mr. Chamberlain	Mr. Emmons	Mr. Williams	9

FOR THE NEGATIVE.

Mr. Denniston	Mr. Lott	Mr. Talcott	
Mr. Jones	Mr. Porter	Mr. Wheeler	
Mr. Lester	Mr. Sedgwick		8

Then the Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK, A. M., MARCH 27, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The minutes of yesterday having been read and approved,

Mr. Sanford presented the memorial of the New-York Bible and Common Prayer Book Society, for an amendment of their charter, which was read and referred to the committee on charitable and religious societies.

Mr. Mitchell presented the petition of inhabitants of the town of Root, for a law carrying out the recommendation of the Canal-Commissioners, in their report to the Legislature on the 10th of January last, in bringing into use the double lock on the Erie Canal, which was read and referred to the committee on canals.

Mr. Talcott presented the petition of inhabitants of Oswego county, for a repeal of the act incorporating the Sodus Canal Company, and the several acts amending the same, which was read and referred to the same committee.

Mr. J. B. Smith presented the petition of inhabitants of Westchester county, against the repeal of the law passed at the last session of the Legislature, for the safe and economical management of their county poor house, which was read and laid on the table.

Mr. Scovil presented the petition of citizens of the town of Wilna, Jefferson county, for a law to authorize the board of supervisors of said county to impose a tax on said town, to pay for a bridge across the Black River at Carthage, which was read and referred to the committee on roads and bridges.

Mr. Scovil presented a petition praying that the classification of jus-

tices of the peace in the said town of Wilna, may be confirmed, which was read and referred to the committee on the judiciary.

Mr. Folsom presented the memorial of the trustees of the Second Associate Reformed Church of the city of New-York, for changing the name of said church, which was read and referred to the committee on charitable and religious societies.

Mr. Lott presented the petition of inhabitants of Oswego county, that the big dam lock on the Oswego canal, when reconstructed, shall be built of the size of the enlarged locks on the Erie Canal, which was read and laid on the table.

Mr. Sedgwick presented the petition of inhabitants of Buffalo, for the passage of the bill to prevent frauds in inspection in the county of Erie, which was read.

Mr. Lott presented a like petition from inhabitants of the same place, which was read, and on motion of Mr. Sedgwick, the last two mentioned petitions, together with said bill were referred to the committee on grievances, to consider and report complete.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of inhabitants of Greene, Chenango county, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Greene, in the county of Chenango," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Lott, from the same committee, to whom were referred sundry petitions for that purpose, made a written report, and asked for and obtained leave to report a bill entitled "An act for the relief of the trustees of school district number eleven, in the town of Otselic, Chenango county," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill and report, respectively, be printed.

[See Senate Document No. 110.]

On motion of Mr. Lott,

Said bill was made the special order of the day for Tuesday morning next, at 11 o'clock.

Mr. Porter, from the committee on finance, to whom was referred the petition of Lewis Sibberad and others, citizens of the city of New-York, for the passage of an act to make all personal property, whether owned by non-residents or otherwise, subject to taxation, reported in writing adverse to the prayer of the petitioners, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 109.]

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the motion heretofore made by him, to reconsider the vote on the question postponing to the 2d Tuesday of June next, the further consideration of the concurrent resolution relative to locks and side cut at the termination of the Erie Canal, opposite the city of Troy, with Mr. Chamberlain's proposed amendment thereto.

Mr. Johnson moved to lay said motion on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Johnson	Mr. Porter
Mr. Burnham	Mr. Lester	Mr. Scovil
Mr. Deyo	Mr. Lott	Mr. Talcott
Mr. Hand		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Putnam	Mr. Spencer
Mr. Denniston	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Eminons	Mr. J. B. Smith	Mr. Williams
Mr. Jones	Mr. S. Smith	

11

Mr. President put the question on agreeing to said motion to reconsider, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Scovil	Mr. Van Schoonhoven
Mr. Eminons	Mr. Sedgwick	Mr. Williams
Mr. Folsom	Mr. Spencer	

8

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Denniston	Mr. Lester	Mr. S. Smith
Mr. Devo	Mr. Lott	Mr. Talcott
Mr. Hand	Mr. Porter	Mr. Wheeler

15

On motion of Mr. Eminons,
The vote on the question referring to the committee on grievances the

bill entitled "An act to prevent frauds in inspection in the county of Erie," to consider and report complete, was reconsidered and the said bill was recommitted to a committee of the whole, and made the special order of the day for Thursday next, at 12 o'clock, M.

Mr. Burnham, from the committee on roads and bridges, to whom was this day referred the petition of citizens of Wilna, Jefferson county, for that purpose, asked for and obtained leave to report a bill entitled "An act authorizing a tax upon the town of Wilna, Jefferson county," which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Mitchell, from the select committee, consisting of the Senators attending the Senate from the Fourth Senate District, to whom was referred the bill entitled "An act authorizing and regulating a ferry across Lake Champlain at Westport, in the county of Essex," to consider and report complete, reported the same complete, without amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Talcott, from the select committee, consisting of the Senators attending the Senate from the Fifth Senate district, to whom was referred the bill entitled "An act in relation to the police justice of the village of Oswego," to consider and report complete, reported the same complete with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lott, from the select committee, to whom was referred the bill from the Assembly entitled "An act for the apportionment of the members of the Assembly of this State," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Talcott moved that said bill be now read the third time.

Thereupon,

On motion of Mr. Johnson,

Said motion was postponed to half past 10 o'clock to-morrow morning.

Mr. Hand, from the select committee, to whom was referred the bill entitled "An act to provide for the construction of a railroad and slack-water navigation from Port Kent, or its vicinity, on Lake Champlain, through a portion of the Saranac and Racket rivers, Long lake, Crotch and Racket lakes, and Moose lake and river, to Black river, at Boonville, Oneida county, or through parts of the aforesaid lakes, rivers and places," reported in favor of the passage thereof with amendments, and changing the title so as to read as follows: "An act to provide for the construction of a railroad and slack-water navigation, from or near Port Kent on Lake Champlain, to Boonville," which was committed to a committee of the whole.

Ordered, That the usual number of copies of the amendments to said bill reported by said committee, be printed.

By unanimous consent, on motion of Mr. Williams,

The engrossed bill entitled "An act to amend the charter of the Canandaigua and Corning Railroad Company," was read the third time

and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams 24

FOR THE NEGATIVE.

Mr. Scovil

1

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Jonas A. Hughston," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly entitled "An act to revive the act incorporating the St. Andrews Society of the city of Schenectady," with a message, informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

Said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Greene, in the county of Chenango," which was ordered to a third reading.

Mr. Van Schoonhoven, from the minority of the select committee, on so much of the Governor's message as relates to leasehold estates, the complaints of tenants, and the remedies proposed therefor, &c., made a written report thereon, which was read and referred to the committee of the whole, having in charge the bill heretofore reported by him, from the same committee, entitled "An act concerning tenures."

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 107.]

On motion of Mr. Johnson,

Ordered, That 1,250 extra copies of said report, be printed.

On motion of Mr. Folsom,

The special orders of the day were suspended, and the Senate proceeded to the third reading of bills.

Thereupon,

The engrossed bill entitled "An act to amend an act entitled 'An act

to incorporate the Great Island Turnpike Company,' passed April 2th, 1813," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Putnam
Mr. Beers	Mr. Johnson	Mr. Sedgwick
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Spencer
Mr. Deyo	Mr. Mitchell	Mr. Talcott
Mr. Emmons	Mr. Porter	Mr. Wheeler
Mr. Folsom		

22

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The engrossed bill entitled "An act for the relief of the estate of James Dolbin, deceased," was read the third time and the question on the final passage thereof laid on the table.

The engrossed bill entitled "An act in relation to sick and disabled seamen," was read the third time, and the question on the final passage thereof laid on the table.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed two several bills entitled "An act in relation to the police justice in the village of Oswego;" also "An act for the relief of the Auburn and Rochester Railroad Company," which were severally ordered to a third reading.

On motion of Mr. Mitchell,

Ordered, That the several bills relative to private claims be made the special order of the day for to-morrow morning, immediately after the presentation of petitions.

Mr. Beekman moved that the Senate do now take a recess till four o'clock, P. M., for the purpose of considering the concurrent resolutions relative to the New-York pilots.

Mr. President put the question on agreeing to said motion.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Lester	Mr. Sanford
Mr. Johnson	Mr. Lott	Mr. Wheeler
Mr. Jones	Mr. Sedgwick	

8

FOR THE NEGATIVE.

Mr. Burnham	Mr. Emmons	Mr. J. B. Smith
Mr. Chamberlain	Mr. Hand	Mr. Spencer
Mr. Clark	Mr. Putnam	

8

A quorum of the Senate not voting thereon.

On motion of Mr. Chamberlain,

The Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., MARCH 28, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schneller.

The minutes of yesterday having been read and approved,

Two several bills were received from the Assembly for concurrence entitled "An act to incorporate the Niagara Fall's International Bridge Company ;" also "An act to incorporate the Ogdensburgh and Hunvelton Plank Road Company," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to authorize the construction of a railroad from New-York to Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Two several bills were received from the Assembly for concurrence entitled "An act for the incorporation of the New-York Hebrew Assistance Society for the relief of widows and orphans ;" also "An act to incorporate the Herman's Brothers Benevolent Society in the city of New-York," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Union Lyceum of Lyons," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence entitled "An act to vest the title to certain lands in the trustees of the First Universalist Society in the town of Busti ;" also "An act to authorize the trustees of the Second Baptist Church of Dover, in the county of Dutchess, to sell their parsonage house and lot," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Mr. Lott presented the petition of inhabitants of Southfield, Richmond county, for a confirmation of the election of town officers at their last annual town meeting, which was read and referred to the same committee.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company, may be made suable in justice's courts, which was read and referred to the select committee, having in charge the bill to which it relates.

Mr. Chamberlain presented the petition of ninety-one inhabitants of Montgomery county, for the passage of the bill in relation to repairs and superintendence of the canals, which was read and laid on the table.

Mr. Emmons presented the remonstrance of provision merchants and others, residents of Buffalo, against the passage of the bill to prevent frauds in inspections in the county of Erie, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Putnam presented the remonstrance of inhabitants of the county of Westchester, against any change of the law of the last session in relation to the county poor house in said county, which was read and laid on the table.

The Senate then, pursuant to order, proceeded to the consideration of the private claims.

Mr. Backus moved that the Senate do now resolve itself into a committee of the whole on the bill entitled "An act for the relief of Briggs Thomas and Eben Worden."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Scovil	
Mr. Burnham	Mr. Lott	Mr. Sedgwick	
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler	
Mr. Clark	Mr. Putnam		11

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. S. Smith	
Mr. Emmons	Mr. Lester	Mr. Spencer	
Mr. Folsom	Mr. Porter		8

The Senate then resolved itself into a committee of the whole on the said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment.

Mr. Johnson moved to lay said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Deyo	Mr. Lester	Mr. Porter
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Johnson		

7

FOR THE NEGATIVE.

Mr. Backus	Mr. Clark	Mr. Sedgwick
Mr. Beers	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Putnam	

11

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Burnham	Mr. Lott	Mr. Sanford
Mr. Chamberlain	Mr. Putnam	Mr. Spencer
Mr. Clark		

10

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	Mr. Porter
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Johnson		

7

Thereupon,

Said bill was ordered to be engrossed for a third reading.

On motion of Mr. Folsom,

The Senate proceeded to the further consideration of the question on the final passage of the engrossed bill entitled "An act for the relief of the estate of James Dobbin, deceased."

Mr. President put the question on final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. J. B. Smith
Mr. Beers	Mr. Folsom	Mr. S. Smith
Mr. Burnham	Mr. Putnam	Mr. Spencer
Mr. Chamberlain	Mr. Sedgwick	Mr. Wheeler
Mr. Clark	Mr. Sanford	Mr. Williams
Mr. Deyo		

16

FOR THE NEGATIVE.

Mr. Johnson
Mr. Lester

Mr. Lott
Mr. Mitchell

Mr. Porter

5

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

A bill was received from the Assembly for concurrence entitled "An act to provide for the payment of the expenses of the prosecution of indictments, when the venue has been changed, and of the attendance of witnesses," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Senate then, pursuant to order, again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James D. Beebe," and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee reported progress, and asked for and obtained leave to sit again.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act authorizing and regulating a ferry across Lake Champlain, at Westport, in the county of Essex," which was ordered to a third reading.

Mr. Folsom, from the same committee, reported as correctly engrossed the bill entitled "An act for the relief of Briggs Thomas and Eben Worden," which was ordered to a third reading.

By unanimous consent,

Mr. Putnam asked for and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act concerning costs and fees in courts of law, and for other purposes,' passed May 14, 1840," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Burnham,

Resolved, That the bill for the relief of Simeon Rogers, as amended by the committee on claims, be ordered to a third reading.

On motion of Mr. Folsom,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Edwin B. Strange," and that the same be engrossed for a third reading.

Resolved, That the bill entitled "An act to incorporate the Rondout Bridge Company," and the engrossed bill from the Assembly entitled "An act to amend an act entitled 'An act to incorporate the Eddyville Bridge Company,' passed April 22, 1844," be taken from the general orders and referred to the Senators from the Second District to report complete.

On motion of Mr. Backus,

Ordered, That the committee of the whole be discharged from the

further consideration of the bill providing for a registry of births, marriages and deaths, and that the same be referred to the committee on literature, to consider and report complete.

Mr. Chamberlain gave notice that he would, on Tuesday morning after the presentation of petitions, move that the general orders be taken up, and that the Senate resolve itself into a committee of the whole on his resolution relative to the Genesee Valley and Black River Canals.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act for the relief of Jonas A. Hughston," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the usual number of copies of said bill as amended, be printed.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize the trustees of the Second Baptist Church of Dover, in the county of Dutchess, to sell their parsonage house and lot," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Backus moved that when the Senate adjourns it adjourns to meet on Monday morning at nine o'clock.

Mr. Chamberlain moved to lay said motion on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Johnson	Mr. Sanford	
Mr. Clark	Mr. Sedgwick	Mr. Wheeler	6

FOR THE NEGATIVE.

Mr. Backus	Mr. Lester	Mr. Putnam	
Mr. Deyo	Mr. Lott	Mr. J. B. Smith	
Mr. Emmons	Mr. Mitchell	Mr. S. Smith	
Mr. Folsom	Mr. Porter	Mr. Spencer	
Mr. Hand			13

Mr. President put the question on agreeing to said first motion, and it was decided in the affirmative.

Mr. Clark, from the committee on charitable and religious societies, to whom were referred two several bills from the Assembly with the following titles, to wit: "An act to incorporate the Hermans Brothers Benevolent Society in the city of New-York;" and also "An act for the incorporation of the New-York Hebrew Assistance Society for the relief of widows and orphans," reported in favor of the passage thereof respectively, without amendment, and

On motion of Mr. Sanford,
Said bills were severally ordered to a third reading.

On motion of Mr. Van Schoonhoven,

Ordered, That the bill entitled "An act in relation to the city of Troy," be made the special order of the day for Tuesday next at half past nine o'clock in the morning.

Mr. Hand asked for and obtained leave of absence for Mr. Talcott, for five days from this day.

On motion of Mr. Putnam, -

Ordered, That on Monday morning next, immediately after the report of committees, the Senate proceed to the third reading of bills.

Then the Senate adjourned to 9 o'clock on Monday morning.

MONDAY, 9 O'CLOCK, A. M., MARCH 30, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of Saturday having been read and approved,

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the relief of Edwin B. Strange, an alien," which was ordered to a third reading.

Mr. Burnham presented the petition of Mathew Calvert, of Mc Donough, Chenango county, for a law confirming his official acts as a justice of the peace, which was read and referred to the committee on the judiciary.

Mr. Putnam presented the petition of citizens of Buffalo, Erie county, for the passage of a law to prevent frauds in inspection in that county, which was read and referred to the committee of the whole, having in charge the bill for that purpose.

On motion of Mr. Burnham,

Ordered, That the committee on roads and bridges be discharged from the further consideration of the bill from the Assembly entitled "An act to repeal the act entitled 'An act to improve the post road running from the Elephant Hotel in the town of Somers, to the village of Peekskill, passed May 13, 1845,' and for other purposes'" and that said bill be referred to the committee on the judiciary.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act confirming the classification of certain justices of the peace, in the county of Jefferson," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to confirm the proceedings of the town meetings held in the town of Southfield, in the county of Richmond," reported in writing in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Ordered, That the usual number of copies of said report be printed.

[Senate Document No. 121.]

Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the petition of inhabitants of Randolph, Cattaraugus county, for a division of that town, asked for and obtained leave to report a bill entitled "An act to erect the town of Southbury, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read a second time, and laid on the table.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill entitled "An act providing for a registry of births, marriages and deaths," to consider and report complete, reported the same with amendments, which were agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

By unanimous consent,

Mr. Porter offered the following resolution, which was laid on the table.

Resolved, (if the Assembly concur,) That the annual bill usually termed the supply bill, shall be sent from the house in which it may originate, to the other house for concurrence at least five days before the adjournment of the Legislature.

The engrossed bill entitled "An act in relation to the appointment of inspectors of hops, fish and oil," was read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The bill from the Assembly entitled "An act authorizing the trustees of school district number ten in the town of Little-Falls, to borrow money to build a school house," was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The engrossed bill entitled "An act in relation to the jurisdiction of the justices' courts," was read the third time and laid on the table.

The bill from the Assembly entitled "An act to confirm certain trusts therein specified," was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act providing for a registry of births, marriages and deaths;" also "An act confirming the classifica-

tion of certain justices of the peace, in the county of Jefferson," which were severally ordered to a third reading.

The bill from the Assembly entitled "An act for the relief Cyril Carpenter, Isaac Joselyn and Isaac Barnes, now or late trustees of district number ten in the town of Sweden," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

The bill from the Assembly entitled "An act to amend the law in relation to common schools," was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Fourteen several engrossed bills with the following titles, to wit: "An act to authorize the county clerks to procure new indexes in certain cases, for the books of records of deeds and mortgages;" also "An act in relation to the Indians residing on the Cattaraugus and Allegany Reservations;" also "An act in addition to an act entitled 'An act relating to documentary evidence,' passed May 14, 1845;" also "An act in relation to pleading in certain cases;" also "An act authorizing trusts for the benefit of the owners and occupants of mill privileges on the Wy-nants Kill;" also "An act in relation to district attorneys and to prevent their law partners from acting as counsel in certain cases;" also "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837;" also "An act to perpetuate evidence of the deaths of Nicolaas Van Staphorst and others;" also "An act to authorize the appointment of a supreme court commissioner to reside at Greene, in the county of Chenango;" also "An act in relation to the police justice in the village of Oswego;" also "An act for the relief of Edwin B. Strange, an alien;" also "An act authorizing and regulating a ferry across Lake Champlain at Westport, in the county of Essex;" also "An act providing for a registry of births, marriages and deaths;" also "An act confirming the classification of certain justices of the peace, in the county of Jefferson," were severally read the third time and passed.

The engrossed bill entitled "An act for the relief of Briggs Thomas and Eben Worden," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Williams

FOR THE NEGATIVE.

Mr. Beers
Mr. Hand
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. S. Smith

Mr. Wheeler
Mr. Young

8

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver the last fifteen mentioned bills to the Assembly, and request their concurrence in the same respectively.

The engrossed bill entitled "An act in relation to the collection of militia fines," was read the third time, and the question on the final passage thereof laid on the table.

The bill from the Assembly entitled "An act for the relief of Simeon Rogers," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act to confirm the proceedings of the town meeting held in the town of Southfield, in the county of Richmond," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally with the amendments thereto, therewith delivered.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Chenango Junction Canal Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Three several bills from the Assembly with the following titles, to wit: "An act to change the name of Augusta Smith, to Augusta Eliza French;" also "An act to confirm the proceedings of the joint school district composed of district number five in Adams, and district number six in the town of Henderson, in the county of Jefferson;" also "An act for the apportionment of the members of the Assembly of this State," were severally read the third time and passed.

Ordered, That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

A message was received from the Assembly, requesting the Senate to transmit to that house the papers on the files of the Senate, relating to a committee of investigation into the conduct of certain officers of the Bank of Dansville.

Ordered, That the Clerk deliver said papers to the Assembly agreeably to said request.

On motion of Mr. Lester,

The bill entitled "An act relative to trials in courts of common law jurisdiction," was made the special order of the day for Wednesday next at 11 o'clock, A. M.

On motion of Mr. Emmons,

The bill entitled "An act to legalize and make valid certain con-

veyances and trusts for the Community of True Inspiration," was made the special order for Friday morning next at 11 o'clock.

Mr. Putnam moved that the several concurrent resolutions relating to Texas, Oregon, &c., be made the special order for to-morrow at 12 o'clock, M.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Burnham	Mr. Lott	Mr. Scovil
Mr. Clark	Mr. Mitchell	Mr Van Schoonhoven 9

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Lester	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Hand	Mr. S. Smith	Mr. Young 12

On motion of Mr. Scovil,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act authorizing a tax upon the town of Wilna, Jefferson county," and that said bill be engrossed for a third reading.

On motion of Mr. Lester,

The bill entitled "An act in relation to the fees of county clerks," was made a special order for Wednesday morning next at 11 o'clock.

On motion of Mr. Van Schoonhoven,

The three several bills entitled "An act to incorporate the New-York Portable Gas Company ;" also "An act to incorporate the Troy Gas Light Company ;" also "An act to incorporate the Troy Vulcan Works," were made the special order of the day for Friday morning next at half past 10 o'clock.

On motion of Mr. Mitchell,

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to confirm the title of certain real estate in Lucy Buckner, the widow of James Buckner, late of the county of Montgomery, an alien, deceased," and after some time spent thereon, Mr. President resumed the chair, and Mr. Backus, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Mr. Putnam moved that the Senate do now resolve itself into a committee of the whole on the bill entitled "An act to punish seduction and adultery, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lott	Mr. Spencer
Mr. Beers	Mr. Porter	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Young
Mr. Johnson	Mr. Scovil	11

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Mitchell	Mr. S. Smith
Mr. Deyo	Mr. Sedgwick	Mr. Wheeler
Mr. Hand		7

The Senate then resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Scovil, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to confirm the title of certain real estate in Lucy Buckner, the widow of James Buckner, late of the county of Montgomery, an alien, deceased," which was ordered to a third reading.

On motion of Mr. Van Schoonhoven,

Ordered, That the bill entitled "An act in relation to the city of Troy," be made the special order of the day for Wednesday morning next at half past 9 o'clock.

On motion of Mr. Backus,

Resolved, That when the Senate adjourn it adjourn to meet to-morrow morning at 9 o'clock, and at the same hour every succeeding day until otherwise ordered.

On motion of Mr. Hand,

Ordered, That the bill entitled "An act to authorize the construction of a railroad and slack water navigation from Port Kent on Lake Champlain to Boonville;" also "An act to build and repair two certain roads in the towns of Moriah and Elizabethtown, in the county of Essex," be the special order for to-morrow morning at half past 11 o'clock.

Then the Senate adjourned to 9 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 31, 1846.

The Senate met pursuant to adjournment.

The minutes of yesterday having been read and approved,

Mr. Hand presented two several petitions of inhabitants of Saratoga Springs and Schuylerville, Saratoga county, for an act to revive and amend the act to incorporate the Saratoga Springs and Schuylerville Railroad Company, passed April 26, 1832, which were severally read and referred to the committee on railroads.

Mr. Hand presented the petition of inhabitants of Saratoga Springs, Stillwater and Malta, Saratoga county, for the same purpose, which was read and referred to a select committee, to consist of the Senators attending the Senate from the Fourth Senate District.

Mr. Spencer presented the memorial of Peter Carroll, respecting the work done by Foster and Frazee, on the Erie Canal, at the village of Rome, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Spencer presented the remonstrance of sundry inhabitants of Oneida county, against par redemptions in the city of New-York, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. S. Smith presented the petition of inhabitants of Dutchess county, for the passage of the bill now before the Senate authorizing the sale of the poor house and farm in said county, which was read and referred to the committee of the whole, when upon the bill to which it relates.

Mr. Lott presented the petition of Mrs. Sarah P. Mather, for an act to incorporate the Sub-Marine Telegraph Company, which was read and referred to the committee on commerce and navigation.

Mr. Sanford presented the memorial of Edward K. Collins and others, merchants of the city of New-York, for the abolishment of the bonding of passengers, which was read and referred to the same committee.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to incorporate the village of Cold Springs," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to incorporate the Union Lyceum of Lyons," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Deyo, from the select committee consisting of the Senators attending the Senate from the Second Senate District, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act to incorporate the Eddyville Bridge Company,' passed

April 22d, 1844," to consider and report complete, ~~reported~~ the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Deyo, from the same committee, to whom was referred the bill entitled "An act to incorporate the Rondout Bridge Company," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Porter,

The Senate proceeded to the further consideration of the resolution heretofore offered by him, which was read in the words following, to wit :

Resolved, (if the Assembly concur,) That the annual bill, usually termed the supply bill, shall be sent from the House in which it may originate, to the other House for concurrence at least five days before the adjournment of the Legislature.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

On motion of Mr. Sedgwick,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' passed April 12, 1844," and said bill be referred to a select committee to consist of the Senators attending the Senate from the Seventh Senate District, to consider and report complete.

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to revive and continue the New-York Typographical Society," and that said bill be engrossed for a third reading.

On motion of Mr. Lott,

Resolved, That the Senate do, until further order, proceed to the third reading of the bills immediately after the reports of committees.

Mr. Sanford asked for and by unanimous consent obtained leave to bring in a bill entitled "An act relating to the dockets of judgments in the office of the clerk of the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Senate then again resolved itself into a committee of the whole, on the bill entitled "An act to punish seduction and adultery, and for other purposes," and after some time spent thereon, Mr. President resumed the chair, and Mr. Scovil, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Lester,

Ordered, That the usual number of copies of the amendments offered to said bill in committee of the whole, by Mr. Lester, be printed.

By unanimous consent,

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to provide for the payment of the expense of the prosecution of indictments when the venue has been changed and of the attendance of witnesses," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the usual number of copies of the said report and also of said bill, with the proposed amendments, be printed.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act authorizing a tax upon the town of Wilna, Jefferson county," which was ordered to a third reading.

On motion of Mr. Spencer,

Resolved, That the select committee on so much of the Governor's message, and of sundry petitions as relate to leasehold estates, &c. be discharged from the further consideration of so much thereof as relates to the taxation of rents, and that the same be committed to the committee on finance, together with the bill reported by said committee entitled "An act to subject the rents reserved on leasehold estates to taxation."

A message was received from the Assembly, informing that they had passed the bill entitled "An act to annex the towns of Eagle, Pike and a part of Portage, to the county of Wyoming," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Lott,

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the trustees of school district number eleven, in the town of Otselic, Chenango county," and after some time spent thereon Mr. President resumed the chair, and Mr. Emmons, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

By unanimous consent, on motion of Mr. Clark,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the preservation of game in the county of Saratoga," and the said bill to a third reading.

On motion of Mr. Wright,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to erect the town of Wright, in the county of Schoharie," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the Third Senate District, to consider and report complete.

The Senate then, pursuant to order, resolved itself into a committee of the whole on the bill entitled "An act to build and repair two certain

roads in the towns of Moriah and Elizabethtown, in the county of Essex," and after some time spent thereon, Mr. President resumed the chair, and Mr. Beers, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain to Boonville," and after some time spent thereon, Mr. President resumed the chair, and Mr. Sedgwick, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Hand,

Said bill was made the special order for to-morrow morning at twelve o'clock.

A bill was received from the Assembly for concurrence entitled "An act to extend the time for the collection of taxes in certain wards of the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Van Schoonhoven,

Said bill was ordered to a third reading at this time.

Said bill was then read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Leave of absence was granted to Mr. Denniston for three days, and to Mr. Putnam for ten days, from this day.

On motion of Mr. Lester,

Resolved, That the committee on the judiciary be instructed to enquire into the propriety of providing by law, that persons convicted of any criminal offence shall pay all the expenses of the prosecution, if they are of sufficient pecuniary ability to do so; and that the said committee report by bill or otherwise.

Then the Senate adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., APRIL 1, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The minutes of yesterday having been read and approved,

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit: "An

act to revive and continue the New-York Typographical Society ;" also "An act for the relief of the trustees of school district number eleven in the town of Otselic, Chenango county ;" also "An act to incorporate the Rondout Bridge Company," which were severally ordered to a third reading.

Mr. Sedgwick presented the remonstrance of citizens of Syracuse, against the passage of the bill to repair the jail in Onondaga county, which was read and laid on the table.

Mr. Sanford presented the memorial of the New-York Bible and Common Prayer Book Society, for power to receive a specific bequest, which was read and referred to the committee on charitable and religious societies.

Mr. Lott presented the petition of Andrew W. Bennet and other citizens, for the passage of a general law authorizing the formation of mutual benevolent societies, which was read and referred to the same committee.

Mr. Talcott presented resolutions of a meeting of the citizens of the village of Mexico, and of the annual town meeting of said town in Oswego county, for a law authorizing that town to raise money to build a town hall in said village of Mexico, which was read and referred to the committee on grievances.

Mr. Porter, from the committee on finance, to whom was referred the petition of George H. Sweet, for a law to equalize taxation, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Mr. Porter, from the same committee, to whom was referred the petition of Sherlock J. Gregory, a citizen of Rensselaer county, praying for a grant from the State Treasury, of a sum of money sufficient to pay for the gratuitous distribution of one million or more copies of certain books mentioned in said petition, reported adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act relating to the dockets of judgments in the office of the clerk of the city and county of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Hand, from the committee on State prisons, to whom was referred so much of the Governor's message as relates to the financial concerns of the Mount Pleasant State Prison, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act making an appropriation for the relief of Mount Pleasant State Prison, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill, respectively, be printed.

[See Senate Document No. 111.]

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to authorize E. G. Rawson Smith, to change his name," reported in writing against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 114.]

Mr. Beers, from the committee on commerce and navigation, to whom was referred the petition of Mrs. Sarah P. Mather, for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Sub-Marine Telescope Company," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to equalize the expenses of supporting all bridges over the Black river, which are now or may hereafter be supported at the joint expense of the towns of Pamela and Watertown, in the county of Jefferson," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the select committee, consisting of the Senators attending the Senate from the Seventh Senate district, to whom was referred the bill entitled "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square in the county of Oswego,' passed April 12, 1844," to consider and report complete, reported the same complete with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The hour of half past nine having arrived, the Senate, pursuant to order, resolved itself into a committee of the whole on the bill from the Assembly entitled "An act in relation to the city of Troy," and after some time spent thereon, Mr. President resumed the chair, and Mr. Chamberlain, from said committee, reported progress, and asked for and obtained leave to sit again.

Thereupon,

On motion of Mr. Van Schoonhoven,

Ordered, That the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to a select committee, to consist of the Senators attending the Senate from the Third Senate District, to consider and report complete.

Three several bills were received from the Assembly with the following titles, to wit: "An act for the relief Cyril Carpenter, Isaac Joelynn and Isaac Barnes, now or late trustees of district number ten in the town of Sweden;" also "An act for the relief of Simeon Rogers;" also "An act to confirm the proceedings of the town meetings held in the

town of Southfield, in the county of Richmond," with a message, informing that they had concurred in the amendments of the Senate to said bills respectively, and had amended the same accordingly.

Said several amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act authorizing the supervisors of the county of Schoharie, to borrow money for the erection of a new court house and jail in the said county," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Wright,

Said bill was ordered to a third reading.

Said bill was then read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to annex the towns of Eagle, Pike and a part of Portage, to the county of Wyoming."

On motion of Mr. Mitchell,

The bill entitled "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent on Lake Champlain, to Boonville," was made the special order of the day for to-morrow morning at 11 o'clock.

On motion of Mr. Spencer,

The bill entitled "An act in relation to the State Lunatic Asylum," was made the special order of the day for to-morrow morning at ten o'clock.

On motion of Mr. Talcott,

The bill entitled "An act in relation to the Oneida river improvement," was made the special order of the day for Friday morning next at ten o'clock.

By unanimous consent,

Mr. Wright, from the select committee, consisting of the Senators attending the Senate from the Third Senate District, to whom was referred the bill from the Assembly entitled "An act to erect the town of Wright, in the county of Schoharie," to consider and report complete, reported the same with amendments, and changing the title so as to read as follows: "An act to erect the towns of Wright and Esperance, from the town of Schoharie," which report was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Wright,

Said bill with the engrossed amendments was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

Mr. Sanford asked for and by unanimous consent obtained leave to bring in a bill entitled "An act for the reduction of the stock of the

National Fire Insurance Company in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and

On motion of Mr. Sanford,

Said bill was ordered to be engrossed for a third reading.

Leave of absence was granted to Mr. Folsom, for five days from this day.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit: "An act relating to the dockets of judgments in the office of the clerk of the city and county of New-York," also "An act to build and repair two certain roads in the towns of Moriah and Elizabethtown, in the county of Essex;" also "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square in the county of Oswego,'" which were severally ordered to a third reading.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act changing the time of holding the circuit court and courts of Oyer and Terminer in the county of Fulton," and the same to a third reading.

Said bill was then read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned to 9 o'clock to-morrow morning.

THURSDAY, 9 O'CLOCK, A. M., APRIL 2, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The minutes of yesterday having been read and approved.

Mr. Backus presented the memorial of citizens of Rochester, interested in the use of the waters of the Genesee River for manufacturing purposes, which was read and referred to the committee on canals.

Mr. Sanford presented the memorial of the mayor, aldermen and commonalty of the city of New-York, for the establishment of a permanent exterior avenue in said city, and for an amendment of the act in relation to the Croton water stocks, which was read and referred to a select committee, to consist of the Senators attending the Senate from the First Senate District.

Mr. Denniston presented the petition of citizens of Ulster county, for

the incorporation of a company to build a bridge at Rondout, which was read and laid on the table.

Mr. Denniston presented a like petition for the same purpose, which was read and laid on the table.

Mr. Porter, from the committee on finance, to whom was referred the petition of trustees and taxable inhabitants of school district number one West Oswego, for a grant of a lot of land in said district, by the State, upon which to erect a school house, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the reduction of the stock of the National Fire Insurance Company in the city of New-York," which was ordered to a third reading.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act to incorporate the village of Weedsport,' which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A message was received from the Assembly, informing that they had passed the bill entitled "An act for the relief of the estate of James Dobbin, deceased," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Hand, from the committee on grievances, to whom were referred the resolutions of a meeting of citizens of the village of Mexico, and of the annual town meeting of the town of Mexico, in Oswego county, for a law authorizing the town of Mexico, to raise money to build a town hall in said village of Mexico, asked for and obtained leave to report a bill entitled "An act to provide for the building of a town hall in the town of Mexico," which was read the first time, and by unanimous consent was read a second time, and ordered to be engrossed for a third reading.

Mr. Porter moved that the Senate do now proceed to the further consideration of the report of the committee of the whole on the bill entitled "An act to repeal the act entitled 'An act to increase the revenues of the State, by extending the market for salt, coal and lead, passed April 18, 1843, and the act to amend the same, passed March 7, 1845,' and for other purposes."

Mr. Sedgwick moved to postpone the same, and that the consideration thereof be made the special order for Tuesday morning next.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow

Mr. Beekman

Mr. Burnham

Mr. Clark	Mr. Sedgwick	Mr. Talcott	
Mr. Emmons	Mr. J. B. Smith	Mr. Williams	
Mr. Lester	Mr. Spencer		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Lott	Mr. Sanford	
Mr. Denniston	Mr. Mitchell	Mr. S. Smith	
Mr. Deyo	Mr. Porter	Mr. Wheeler	
Mr. Johnson	Mr. Scovil	Mr. Wright	12

Mr. President put the question on agreeing to Mr. Porter's motion, and it was decided in the affirmative.

Debates being had but without taking any question thereon.

Mr. Scovil moved that said bill, &c., be made the special order for Tuesday next.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Emmons	Mr. Spencer	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Burnham	Mr. Scovil	Mr. Wheeler	
Mr. Clark	Mr. Sedgwick	Mr. Williams	
Mr. Denniston	Mr. Sanford	Mr. Wright	
Mr. Deyo	Mr. S. Smith		17

FOR THE NEGATIVE.

Mr. Backus	Mr. Lott	Mr. J. B. Smith	
Mr. Hand	Mr. Mitchell	Mr. Young	
Mr. Johnson	Mr. Porter		8

On motion of Mr. Spencer,

The bill entitled "An act in relation to the State Lunatic Asylum," was made the special order for Saturday morning next, at 10 o'clock.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to provide for the building of a town hall in the town of Mexico," which was ordered to a third reading.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act for the relief of the estate of James Dobbin, deceased."

A bill was received from the Assembly entitled "An act to erect the towns of Wright and Esperance, from the town of Schoharie," with a message, informing that they had concurred in the amendments of the Senate to said bill, with an amendment.

On motion of Mr. Wright,
Resolved, That the Senate do concur in the amendment of the Assembly to the amendments of the Senate to said bill.

Ordered, That the Clerk return said bill to the Assembly, with a message informing them thereof.

Then the Senate adjourned to 9 o'clock to-morrow morning.

FRIDAY, 9 O'CLOCK, A. M., APRIL 3, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The minutes of yesterday having been read and approved,

Mr. Wright presented the petition of Silas Marsh and others, late trustees of school district number 8, in Duaneburgh, for relief, which was read and referred to the committee on grievances.

Mr. Spencer presented the petition of the Susquehannah Bridge Company, of the village of Binghampton, and of the sheriff, clerk, first judge and other citizens of Broome county, for an amendment of their charter so as to compel contribution from the stockholders to rebuild the bridge carried off by the late flood, or to abandon their stock and to extend their charter for twenty years, which was read and referred to the committee on roads and bridges.

Mr. Porter, from the committee on finance, to whom was referred the petition of George W. Stanton and others, in relation to the Albany basin, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act relating to the Albany basin,' passed May 16, 1837," which was read the first time, and by unanimous consent was also read a second time.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[See Senate Document No. 116.]

On motion of Mr. Lott,

Ordered, That the whole subject be laid on the table.

Mr. Lott, from the committee on the judiciary, asked for and obtained leave to report two several bills entitled "An act in relation to discoveries at law, the taking of testimony of witnesses out of this State, bail in error, and suits against foreign corporations;" also "An act for the cancellation of decrees made by surrogates," which were read the first

time, and by unanimous consent were also read a second time, and severally ordered to be engrossed for a third reading.

Mr. Lott, from the same committee, to whom were referred the reports of the chief-justice and chancellor, relative to the publication of certain notices in the State paper, made a written report thereon, and asked for and obtained leave to report two several bills with the following titles, to wit: "An act in relation to the service and publication of notices (No. 1.);" also "An act in relation to the service and publication of notices (No. 2,)" which were severally read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bills respectively, be printed.

[See Senate Document No. 113.]

Ordered, That said bills be made the special order of the day for Monday morning next, at half past nine o'clock.

Mr. Beers, from the committee on commerce and navigation, to whom was referred the bill from the Assembly entitled "An act to incorporate the Niagara-Falls Ferry Association," reported in favor of the passage thereof, with amendments, which was laid on the table.

Mr. Beers, from the same committee, to whom was referred the bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," reported in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to incorporate the Ogdensburgh and Heuvelton Plank Road Company," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the same committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the Niagara-Falls International Bridge Company," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Hand, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to incorporate the village of Weedsport,'" reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Hand, from the committee on grievances, to whom was referred the petition of Silas Marsh and others, trustees of school district number 8, in Duaneburgh, for relief, asked for and obtained leave to report a bill entitled "An act for the relief of Silas Marsh, Alexander Liddle and Britton T. Head, late trustees of school district number 8, in the town of Duaneburgh," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. Hand,

Ordered, That the select committee be discharged from the further consideration of the petition of inhabitants of Saratoga-Springs, Stillwater and Malta, for the revival and amendment of an act to incorporate the Saratoga Springs and Schuylerville Railroad Company, and that said petition be referred to the committee on railroads.

Mr. Sandford, from the select committee, to whom was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson River, and for other purposes,' passed April 12, 1837," and to amend an act entitled "An act creating a public fund or stock in the city of New-York, to be called the Croton water stock, and in relation to the sinking fund of said city," passed May 13, 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Lester, from the select committee of eight, to whom was referred the bill entitled "An act in relation to actions against railroad corporations," to consider and report complete, reported the same without amendment, which was laid on the table.

By unanimous consent,

Mr. Clark presented five several remonstrances against the northern slack-water bill, which were read and committed to the committee of the whole, having in charge the bill entitled "An act to provide for the construction of a railroad and slack-water navigation from Port-Kent to Boonville."

By unanimous consent,

Mr. Denniston presented a communication from the executors of John Hartman, deceased, asking that their remonstrance against the Dansville slip and basin may be withdrawn, and recommending the passage of the bill in relation thereto, which was read and referred to the committee of the whole, having in charge the bill entitled "An act to authorize the Canal Board to assume in behalf of the State the Dansville slip and basin."

By unanimous consent,

Mr. Van Schoonhoven presented the petition of E. R. Parmelee and others, asking that their names be withdrawn from a remonstrance against the passage of a bill to revive the charter of the Phoenix Bridge Company, which was read and referred to the committee of the whole, having in charge the bill entitled "An act to revive and amend 'An act to incorporate the Phoenix Bridge Company,' passed April 17, 1830."

By unanimous consent,

Mr. Lott presented the petition of Philip Kearney and others, citizens of New-York, for a law authorizing the confirmation of the reports of commissioners of estimate and assessment in street cases, at any general

or special term of the supreme court, which was read and referred to the committee on the judiciary.

A bill was received from the Assembly entitled "An act to erect the towns of Wright and Esperance, from the town of Schoharie," with a message, informing that they had amended said bill according to the amendments agreed upon by the two Houses.

Said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

On motion of Mr. Lott,

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled "An act to provide for the payment of the expense of the prosecution of indictments, when the venue has been changed, and of the attendance of witnesses," and after some time spent thereon, Mr. President resumed the chair, and Mr. Talcott, from said committee, reported that they had gone through the bill, and had made amendments thereto, and changed the title so as to read as follows: "An act to provide for the payment of the expenses of witnesses on the trial of indictments in certain cases," which with the bill they had directed him to report to the Senate, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. Lott,

Said bill with the engrossed amendments was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

On motion of Mr. Beekman,

Ordered, That the bill entitled "An act in relation to the temporary relief of the poor," be made the special order for Wednesday morning next at 10 o'clock.

On motion of Mr. Talcott,

The Senate then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the Oneida river improvement," and after some time spent thereon, Mr. President resumed the chair, and Mr. Beekman, from said committee, reported progress, and asked for leave to sit again.

Mr. Clark moved to postpone the question of granting leave to said committee to sit again till the first Tuesday in June next.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Burnham
Mr. Clark

Mr. Hand
Mr. Lott
Mr. S. Smith

Mr. Wheeler
Mr. Wright
Mr. Young

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Porter	Mr. Spencer
Mr. Chamberlain	Mr. Scovil	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	

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Mr. President put the question on granting leave to sit again, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson	Mr. Sanford
Mr. Barlow	Mr. Lester	Mr. J. B. Smith
Mr. Beers	Mr. Porter	Mr. Spencer
Mr. Chamberlain	Mr. Scovil	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Lott	Mr. Wright
Mr. Clark	Mr. S. Smith	Mr. Young
Mr. Hand	Mr. Wheeler	

8

On motion of Mr. Talcott,

Said bill was made the special order of the day for Wednesday morning next immediately after the reports of committees.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Junction Canal Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

On motion of Mr. Chamberlain;

The several concurrent resolutions heretofore offered by him, relative to the Genesee Valley and Black River Canals, were made the special order of the day for Monday morning next, immediately after the reports of committees.

Mr. Van Schoonhoven moved that the present and all intervening orders of business be laid on the table, to enable him to make a motion.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Beers	Mr. Deyo
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Mr. Emmons
Mr. Læter
Mr. Porter
Mr. Young

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer

Mr. Talcott
Mr. Van Schoonhoven
Mr. Williams

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FOR THE NEGATIVE.

Mr. Barlow
Mr. Burnham
Mr. Chamberlain

Mr. Clark
Mr. Denniston
Mr. Hand

Mr. Johnson
Mr. Lott
Mr. Sedgwick
Mr. Wright

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Thereupon,

On motion of Mr. Van Schoonhoven,

The bill relative to the Phoenix Bridge Company was made the special order of the day for Thursday morning next, at half past nine o'clock.

On motion of Mr. Wright,

The four several bills reported by the select committee, with the following titles: "An act in relation to tenures;" also "An act to abolish distress for rent, and for other purposes;" also "An act to subject the rents reserved on certain leasehold estates to taxation;" also "An act in relation to tenures," were made the special order for to-morrow morning, at 10 o'clock, and on every subsequent day at the same hour until disposed of.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to discoveries at law, the taking of testimony of witnesses out of this state, bail in error, and suits against foreign corporations," which was ordered to a third reading.

On motion of Mr. Spencer,

The present and all intervening orders of business were laid on the table, and the Senate proceeded to the consideration of the question of agreeing with the committee on claims in their report adverse to the petition for relief of Munson, Hart, Sayre & House.

By unanimous consent,

Mr. Spencer presented the affidavit of Munson & Hart relative to said claim which was read and laid on the table with said report.

Debate was had thereon, without taking the question on agreeing with the said committee in their said report.

Leave of absence was granted to Mr. Young for five days from to-morrow.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit: "An act for the cancelment of decrees made by surrogates;" also "An act for the relief of Silas Marsh, Alexander Liddle and Brittain T. Head, late trustees of school district No. 8, in the town of Duaneburgh;" also "An act to amend the act to establish a permanent exterior street

in the city of New-York, and also the act in relation to the Croton water stock," &c., which were severally ordered to a third reading.

Then the Senate adjourned to 9 o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK, A. M., APRIL 4, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The minutes of yesterday having been read and approved,

Mr. Backus presented three several remonstrances of millers, forwarders and farmers, citizens of this state, against the bill taking from the Canal Board the right to regulate the tolls on our canals, which were read and referred to the committee of the whole, having in charge the bill upon that subject.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made sueable in justices' courts, which was read and laid on the table.

Mr. Johnson presented the affidavit and petition of the sheriff of Delaware county, in relation to the expenses incurred by him in the late insurrection in that county, which were read and laid on the table.

Mr. Denniston presented the petition of the President, Directors and Company of the Cohecton Bridge Company, for the passage of a law authorizing them to establish a ferry across the Delaware River, which was read and laid on the table.

Mr. Sanford presented the petition of the German Washington Society of the city of New-York, for an act of incorporation, which was read and referred to the committee on charitable and religious societies.

Mr. Sanford presented the remonstrance of Abel T. Anderson, Samuel W. Moore and others, members of the Protestant Episcopal Church residing in the city of New-York, not of the parish of Trinity Church, against any alteration of the charter of that church, which was read and referred to the same committee.

Mr. Lott presented the remonstrance of S. Gouverneur, against the act to incorporate the village of Cold Springs, which was read and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Lott,

The said bill was recommitted to the same committee, without prejudice, to its place in the order of third reading of bills.

Five several bills were received from the Assembly for concurrence with the following titles, to wit: "An act for the benefit of the United States Fire Insurance Company in the city of New-York;" also "An

act for the benefit of the Manhattan Fire Insurance Company in the city of New-York;" also "An act for the benefit of the Jefferson Fire Insurance Company in the city of New-York;" also "An act for the benefit of the Merchants' Fire Insurance Company;" also "An act to reduce the capital stock of the Firemen's Insurance Company in the city of New-York, and for other purposes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled "An act to authorize a tax to be levied in the town of Canton, in the county of St. Lawrence, to build a town house," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act in relation to Flushing avenue in the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Lott presented the remonstrance of William Hunter and others against the passage of the bill last named, also the proceedings of the common council of the city of Brooklyn relative thereto, which were read and referred to the same committee.

A bill was received from the Assembly for concurrence, entitled "An act to repeal 'An act for the preservation of fish in the Hudson river,' passed March 22, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act passed May, 1841, authorizing colleges and other incorporated literary institutions to hold real and personal estate in trust, so as to allow the same to accumulate for certain specific purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to incorporate the New-York and Connecticut Railroad Company;" also "An act to authorize the Troy and Schenectady Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk river, to the city of Utica," which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on railroads.

Mr. Spencer, from the committee on finance, to which was referred so much of the Governor's message as relates to the taxation of rents, also the bill entitled "An act to subject the rents reserved on leasehold estates to taxation," reported in writing against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

Mr. Barlow moved that 1,250 extra copies of said report be printed, which motion was referred to the committee on public printing.

Mr. Wright moved that the usual number of copies of the report of the Comptroller made to the Assembly last year, (Assembly Doc. No. 228,) in relation to the same subject, be printed, which was referred to the same committee.

Mr. Talcott moved that the Senate do resolve itself into a committee of the whole, on the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Porter
Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Clark	Mr. Johnson	Mr. J. B. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Lott	Mr. Van Schoonhoven
Mr. Emmons	Mr. Mitchell	Mr Wright 18

FOR THE NEGATIVE.

Mr. Chamberlain 1

The Senate then resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Talcott offered the following resolution :

Resolved, That the bills reported by the select committee on so much of the Governor's message as relates to leasehold estates, be made special orders for Monday afternoon next, at 4 o'clock, and for every succeeding day at the same hour, until they shall be disposed of, and that the said bills have precedence of all other special orders, at both morning and afternoon sessions, until disposed of.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Folsom	Mr. Sanford	Mr. Williams
Mr. Wright		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Mitchell
Mr. Chamberlain	Mr. Emmons	Mr. J. B. Smith
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven

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Mr. Wright moved that when the Senate adjourn, it adjourn to meet on Monday morning, at 10 o'clock, and that the Senate hereafter meet at that hour, until otherwise ordered.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. Wheeler
Mr. Barlow	Mr. Emmons	Mr. Wright
Mr. Chamberlain	Mr. Hand	

8

FOR THE NEGATIVE.

Mr. Denniston	Mr. Mitchell	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Folsom	Mr. Sanford	Mr. Van Schoonhoven
Mr. Lester	Mr. J. B. Smith	Mr. Williams
Mr. Lott	Mr. S. Smith	

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Mr. Clark moved to suspend till 11 o'clock, A. M. hereafter, the consideration of the several bills relative to tenures, &c.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Lott
Mr. Barlow	Mr. Emmons	Mr. Mitchell
Mr. Chamberlain	Mr. Folsom	Mr. Sanford
Mr. Clark	Mr. Hand	Mr. J. B. Smith
Mr. Williams		

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. S. Smith	Mr. Van Schoonhoven
Mr. Lester	Mr. Spencer	Mr. Wright

9

On motion of Mr. Emmons,
 { Ordered, That the committee of the whole be discharged from the

further consideration of the bill entitled "An act to legalize and make valid certain conveyances and trusts for the community of true inspiration," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the 8th Senate district, to report complete.

Mr. Denniston asked for and obtained leave to bring in a bill, entitled "An act authorizing the President, Directors and Company of the Cochection Bridge Company to establish a ferry across the Delaware River," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. Wright,

The committee of the whole were discharged from the further consideration of the bill from the Assembly, entitled "An act in relation to the office of district attorney of the county of Scholharie," and said bill was ordered to a third reading.

Then the Senate adjourned to 9 o'clock on Monday morning.

MONDAY, 9 O'CLOCK, A. M., APRIL 6, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Steele.

The minutes of Saturday having been read and approved,

Mr. Folsom presented two several remonstrances of ship masters and others of the port and city of New-York, against the passage of the concurrent resolutions relating to pilots, which were read and laid on the table.

Mr. Sanford, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to incorporate the Junction Canal Company," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Denniston, from the same committee, to whom was referred the bill from the Assembly, entitled "An act to incorporate the Chenango Junction Canal Company," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the petition of the Susquehanna Bridge Company, for that purpose, asked for and obtained leave to report a bill, entitled "An act

to amend the act entitled 'An act incorporating the Susquehanna Bridge Company in the village of Binghamton,' which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to authorize a tax to be levied in the town of Canton, in the county of St. Lawrence, to build a town house," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Williams, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Emmons, from the majority of the committee on charitable and religious societies, to whom were referred the several petitions to change the act of 25th January, 1814, relative to Trinity Church in the city of New-York, and the several remonstrances against the same, made a written report thereon, adverse to the prayer of the petitioners, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 118.]

Mr. Clark, from the minority of the same committee, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act to repeal the act entitled 'An act to alter the name of the corporation of Trinity Church in the city of New-York, and for other purposes,' passed January 25, 1814," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill, respectively, be printed.

[See Senate Document No. 117.]

Mr. Denniston moved that five hundred extra copies of said reports, respectively, be printed.

Mr. Folsom moved that twelve hundred and fifty extra copies of said reports, respectively, be printed.

Which last two motions were referred to the committee on public printing.

Mr. Lott moved that the present and all intervening orders of business be laid on the table, and that the Senate do now resolve itself into a committee of the whole on the bill entitled "An act in relation to the service and publication of notices;" (No. 1.)

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Scovil
Mr. Beers	Mr. Lester	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Williams
Mr. Chamberlain	Mr. Mitchell	Mr. Wright
Mr. Clark	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Folsom	Mr. Johnson	Mr. Van Schoonhoven
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The Senate then resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Burnham, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, with amendments.

On motion of Mr. Wright,

Ordered, That said bill, together with the bill of the same title, No. 2, be referred to a select committee of five, to consider and report complete.

Mr. President announced, and thereupon,

Ordered, That Mr. Lott, Mr. Lester, Mr. Hand, Mr. Backus, and Mr. Deyo be such committee.

A bill was received from the Assembly entitled "An act to provide for the payment of the expense of the prosecution of indictments, when the venue has been changed, and of the attendance of witnesses," with a message, informing that they had concurred in the amendments of the Senate to the same, and altered the title so as to read as follows: "An act to provide for the payment of the expenses of witnesses on the trial of indictments in certain cases," and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to amend the law in relation to excise and the regulation of taverns and groceries," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to authorize a tax to be levied in the town of Constable, to build or purchase a town house," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

On motion of Mr. Chamberlain,

Ordered, That the several concurrent resolutions relative to the Genesee Valley and Black River Canals, be the special order of the day for to-morrow morning, immediately after the reports of committees.

On motion of Mr. Sanford,

Ordered, That the bill from the Assembly, entitled "An act to authorize the construction of a railroad from New-York to Albany," be the special order of the day for Friday morning next, at 10 o'clock.

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Lott
Mr. Chamberlain	Mr. Folsom	Mr. Van Schoonhoven

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Clark	Mr. Lester	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Hand	Mr. Sanford	Mr. Williams

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Then the Senate took a recess till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles:

"An act to authorize the President, Directors and Company of the Cochection Bridge Company to establish a ferry across the Delaware River;" also "An act to amend the act entitled 'An act incorporating the Susquehanna Bridge Company in the village of Binghamton,'" which were severally ordered to a third reading.

Mr. Lott moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

[SENATE JOURNAL.]

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The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Lott	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Mitchell	Mr. Wheeler	
Mr. Folsom	Mr. Sanford	Mr. Wright	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. S. Smith	
Mr. Deyo	Mr. Lester	Mr. Talcott	
Mr. Johnson	Mr. Porter		8

Then the Senate adjourned to 9 o'clock to-morrow morning.

TUESDAY, 9 O'CLOCK, A. M., APRIL 7, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

The minutes of yesterday having been read and approved,

Mr. Denniston presented the memorial of owners and occupants of lands near the Hudson River, for such provision in the charter of the Hudson River Railroad as may preserve them access to the river from their farms, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Jones presented the petition of Charles G. Carleton and other citizens of New-York, for an amendment of the act in relation to applications for confirmations of reports of commissioners of estimate and assessment in that city, which was read and laid on the table.

Mr. S. Smith presented a remonstrance against the repeal of the act relative to superintendents of the poor in the county of Westchester, which was read and laid on the table.

Mr. Sedgwick presented the remonstrance of inhabitants of Syracuse against the passage of the bill to raise money to repair the jail in Onondaga county, which was read and laid on the table.

Mr. Williams, from the committee on railroads, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Saratoga and Schuylerville Railroad and Draining Company," which was read the first time, and by unanimous consent was also read a second time, and referred to a select

committee to consist of the Senators attending the Senate from the Fourth Senate District, to consider and report complete.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly, entitled "An act to authorize a tax to be levied in the town of Constable, to build or purchase a town house," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Porter,

Ordered, That the committee on finance be discharged from the further consideration of the bill from the Assembly entitled "An act to amend the law in relation to excise and the regulation of taverns and groceries," and that the same be referred to the committee on canals.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act authorizing the towns of Martinsburgh and Greig to construct a bridge across the Black River," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Folsom, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to amend the act passed May, 1841, authorizing colleges and other incorporated literary institutions to hold real and personal estate in trust, so as to allow the same to accumulate for certain specific purposes," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Talcott, from the committee on public printing, to whom was referred the motion to print 1,250 extra copies of the report of Mr. Spencer, from the committee on finance, on so much of the Governor's message as relates to the taxation of leasehold estates; also the bill relative to the same subject, reported in favor of said motion, which was agreed to by the Senate.

Thereupon,

Ordered, That 1,250 extra copies of said report be printed.

[*See Senate Document No. 115.*]

Mr. Beekman, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Lott, from the select committee, to whom was referred the bill entitled "An act in relation to the service and publication of notices," No. 1; also the bill of the same title, No. 2, to consider and report complete, reported a bill complete, and changed the title so as to read as follows: "An act in relation to the service and publication of notices and the publication of the session laws," which was agreed to by the Senate, and the bill last entitled ordered to be engrossed for a third reading.

Mr. Emmons, from the select committee, consisting of the Senators attending the Senate from the Eighth Senate District, to whom was referred the bill entitled "An act to legalize and make valid certain conveyances and trusts for the Community of True Inspiration" to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Johnson,

The Senate proceeded to the further consideration of the question of agreeing with the committee of the whole in their report upon the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845."

Mr. President put the question on agreeing to the motion heretofore made by Mr. Johnson, to reconsider the vote on the amendment of Mr. Lott, amending the third section of said bill as reported by the committee of the whole, and stated in the Journal of the 23d ult, by striking out the words "22d day of December," and inserting instead thereof, "the 27th day of August," and it was decided in the affirmative.

Mr. President put the question on agreeing to Mr. Lott's said amendment, and it was decided in the negative.

Mr. Johnson then moved to amend said third section as reported, by striking out the words "twenty-second," in the third line thereof, and inserting instead thereof, the words "twenty-third."

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Spencer
Mr. Deyo	Mr. Mitchell	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Williams
Mr. Hand		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Clark	Mr. Sedgwick
Mr. Burnham	Mr. Emmons	Mr. Wheeler
Mr. Chamberlain		

8

Mr. President then put the question on agreeing to said report as amended, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Beekman	Mr. Beers
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Mr. Denniston	Mr. Lester	Mr. Sanford	
Mr. Deyo	Mr. Lott	Mr. J. B. Smith	
Mr. Emmons	Mr. Mitchell	Mr. S. Smith	
Mr. Hand	Mr. Porter	Mr. Talcott	
Mr. Johnson	Mr. Sedgwick	Mr. Wheeler	18

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Clark	Mr. Van Schoonhoven	3
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Thereupon,

Said bill was ordered to be engrossed for a third reading.

On motion of Mr. Beekman,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act regulating the speed of steamboats whilst passing certain villages on the Hudson River," and that the same be referred to a select committee, to consist of one Senator attending the Senate from each Senate District, to consider and report complete.

Thereupon,

Ordered, That Mr. Beekman, Mr. S. Smith, Mr. Lott, Mr. Mitchell, Mr. Talcott, Mr. Beers, Mr. Lester and Mr. Emmons be such committee.

On motion of Mr. Barlow,

Resolved, That the law relative to town officers, and to prevent abuses in auditing town and county accounts, &c., passed the 10th May, 1845, be referred to the same select committee which had it in charge last session, to propose such amendments thereto as they shall deem advisable, if any.

On motion of Mr. S. Smith,

Resolved, That the act entitled "An act to divide the town of Westchester, in the county of Westchester," be referred to a select committee consisting of the Senators attending the Senate from the Second Senate District, to report complete.

On motion of Mr. Beers,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to defray the expenses incurred in the apprehension of certain criminals," and that the same be engrossed for a third reading.

Mr. Williams moved that the two several bills from the Assembly, entitled "An act to incorporate the Niagara Falls Ferry Association;" also "An act to incorporate the Niagara Falls International Bridge Company," be referred to a select committee to consist of one Senator attending the Senate from each Senate District, to consider and report complete.

Mr. Lester moved as a substitute to commit said first mentioned bill to a committee of the whole.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Lester	Mr. Sedgwick	
Mr. Johnson	Mr. Porter	Mr. Wright	6

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil	
Mr. Beers	Mr. Folsom	Mr. Sanford	
Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Lott	Mr. S. Smith	
Mr. Deyo	Mr. Mitchell	Mr. Williams	15

Mr. President then put the question on agreeing to Mr. Williams' motion, and it was decided in the affirmative.

Thereupon,

Ordered, That Mr. Backus, Mr. Lester, Mr. Wheeler, Mr. Barlow, Mr. Hand, Mr. Johnson, Mr. J. B. Smith, and Mr. Jones be such committee.

Mr. Wright offered the following resolution :

Resolved, That the Hon. J. A. Lott be, and he is hereby appointed President pro tem. of the Senate, in the absence of the Lieutenant-Governor.

Mr. Lester moved to lay said resolution on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Porter	
Mr. Barlow	Mr. Hand	Mr. Sedgwick	
Mr. Beekman	Mr. Johnson	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
		Mr. Williams	13

FOR THE NEGATIVE.

Mr. Burnham	Mr. Jones	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Scovil	Mr. Wheeler	
Mr. Emmons	Mr. Sanford	Mr. Wright	
Mr. Folsom	Mr. J. B. Smith		14

Mr. Beekman moved to amend said resolution, by striking out the

words "J. A. Lott," and inserting instead thereof, the words "Samuel Young."

Mr. J. B. Smith asked a division of the question.

Mr. President then put the question on striking out, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo		

13

FOR THE NEGATIVE.

Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. J. B. Smith	

14

Mr. Johnson then moved to amend said resolution by striking out "J. A. Lott," and inserting "John Porter."

Mr. Van Schoonhoven moved to amend said resolution by striking out all after the word "Resolved," and inserting as follows :

"That the Senate proceed to the appointment of a President pro tem., and that each Senator, when his name is called, openly nominate a senator for that office."

Mr. Johnson then moved to postpone the whole question until to-morrow morning.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Denniston
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Williams		

13

FOR THE NEGATIVE.

Mr. Burnham	Mr. Clark	Mr. Folsom
Mr. Chamberlain	Mr. Emmons	Mr. Jones

Mr. Mitchell	Mr. J. B. Smith	Mr. Wheeler	
Mr. Scovil	Mr. Spencer	Mr. Wright	
Mr. Sanford	Mr. Van Schoonhoven		14

Mr. Beekman then moved to lay the whole subject on the table, and that the Senate again resolve itself into a committee of the whole, on the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to the last motion and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Deyo	Mr. Porter	
Mr. Beekman	Mr. Hand	Mr. Sedgwick	
Mr. Beers	Mr. Johnson	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
		Mr. Williams	13

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith	
Mr. Burnham	Mr. Jones	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Scovil	Mr. Wheeler	
Mr. Emmons	Mr. Sanford	Mr. Wright	15

Mr. President put the question on agreeing to Mr. Van Schoonhoven's said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford	
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith	
Mr. Beekman	Mr. Hand	Mr. Spencer	
Mr. Burnham	Mr. Johnson	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Jones	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Williams	
Mr. Denniston	Mr. Scovil	Mr. Wright	
Mr. Deyo	Mr. Sedgwick		23

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	Mr. Porter	
		Mr. S. Smith	4

Thereupon,
Each Senator present openly nominated a President pro tempore, as follows :

FOR MR. LOTT.

Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. J. B. Smith	

14

FOR MR. YOUNG.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams

12

FOR MR. PUTNAM.

Mr. Backus		
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1

FOR MR. SANFORD.

Mr. Beers		
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1

No Senator receiving a majority of all the votes given,
Mr. Beekman moved to lay the whole subject on the table.
Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo		

13

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Wright

15

Each Senator present then again openly, nominated a President pro tem., as follows :

FOR MR. LOTT.

Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. J. B. Smith	

14

FOR MR. YOUNG.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams

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FOR MR. PUTNAM.

Mr. Backus		
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1

FOR MR. SANFORD.

Mr. Beers		
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1

Mr. Folsom then offered the following resolution :

Resolved, That John A. Lott, having received a greater number of votes than any other Senator for the office of President pro tempore of the Senate, be, and hereby is, declared elected to that office.

Mr. Johnson moved to postpone the whole subject till 10 o'clock to-morrow morning.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo		

13

FOR THE NEGATIVE.

Mr. Burnham	Mr. Emmons	Mr. Mitchell
Mr. Chamberlain	Mr. Folsom	Mr. Scovil
Mr. Clark	Mr. Jones	Mr. Sanford

Mr. J. B. Smith	Mr. Van Schoonhoven	Mr. Wright	
Mr. Spencer	Mr. Wheeler		14

Mr. President then put the question on agreeing to Mr. Folsom's said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Jones	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Scovil	Mr. Wheeler	
Mr. Emmons	Mr. Sanford	Mr. Wright	
Mr. Folsom	Mr. J. B. Smith		14

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Sedgwick	
Mr. Barlow	Mr. Hand	Mr. S. Smith	
Mr. Beekman	Mr. Johnson	Mr. Talcott	
Mr. Beers	Mr. Lester	Mr. Williams	
Mr. Denniston	Mr. Porter		14

Mr. Porter then moved that the whole subject be laid on the table, and that the Senate again resolve itself into a committee of the whole on the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Barlow	Mr. Johnson	Mr. Spencer	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick		14

FOR THE NEGATIVE.

Mr. Burnham	Mr. Jones	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Clark	Mr. Scovil	Mr. Wheeler	
Mr. Emmons	Mr. Sanford	Mr Wright	13
Mr. Folsom			

The Senate then resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed

the chair, and Mr. Folsom, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed the bill entitled "An act for supplying the Capitol with pure and wholesome water," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to annex a part of the town of Shawangunk to the town of Plattekill, in the county of Ulster," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled "An act for the relief of William Buell," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled "An act authorizing the supervisors of the county of Kings to create a loan, and provide further accommodations for the confinement of prisoners," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act to provide for the appointing commissioners to open and improve the Rock Island and De Peyster road, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act for supplying the Capitol with pure and wholesome water."

Mr. Talcott moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to frauds in inspections in the county of Erie," and that the same be referred to a select committee of three, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Denniston
Mr. Johnson
Mr. Jones

Mr. Lester
Mr. Porter
Mr. Sanford

Mr. S. Smith
Mr. Talcott
Mr. Williams

10

FOR THE NEGATIVE.

Mr. Backus
Mr. Beekman

Mr. Beers
Mr. Burnham

Mr. Chamberlain
Mr. Clark

Mr. Deyo	Mr. Mitchell	Mr. Sedgwick	
Mr. Emmons	Mr. Scovil	Mr. Wright	13
Mr. Folsom			

On motion of Mr. Chamberlain,

Ordered, That the several concurrent resolutions relative to the Genesee Valley and Black River Canals, be the special order for to-morrow morning, immediately after the presentation of petitions.

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. Lott	
Mr. Barlow	Mr. Deyo	Mr. Mitchell	
Mr. Beekman	Mr. Emmons	Mr. Scovil	
Mr. Burnham	Mr. Folsom	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Hand	Mr. Van Schoonhoven	15

FOR THE NEGATIVE.

Mr. Beers	Mr. Porter	Mr. S. Smith	
Mr. Denniston	Mr. Sedgwick	Mr. Talcott	
Mr. Johnson	Mr. Sanford	Mr. Wright	
Mr. Lester			10

Then the Senate adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., APRIL 8, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Steele.

The minutes of yesterday having been read and approved,

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the service and publication of notices and the publication of the session laws," which was ordered to a third reading.

Mr. Lester, from the same committee, reported as correctly engrossed four several bills with the following titles, to wit: "An act to defray the

expenses incurred in the apprehension of certain criminals ;" also "An act authorizing the towns of Martinsburgh and Greig to construct a bridge across the Black River ;" also "An act to legalize and make valid certain conveyances and trusts for the Community of True Inspiration ;" also "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845," which were severally ordered to a third reading.

On motion of Mr. Johnson,

Said last mentioned bill was then read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

Mr. Hard presented the petition of Alexis Ward and others, for a supreme court commissioner at Albion, Orleans county, which was read and referred to the committee on the judiciary.

Mr. Beekman presented the memorial and remonstrance of the common council of the city of Schenectady against the extension of the Troy and Schenectady railroad to Utica, which was read and referred to the committee on railroads.

Mr. S. Smith presented a petition for the repeal of an act entitled "An act for the preservation of fish in the Hudson river," which was read and laid on the table.

Mr. Backus presented the petition of the circuit judge of the 8th circuit, the judges of Monroe county courts, and of two several grand juries of said county, for the establishment of a house of refuge in western New-York," which was read and referred to the committee on State prisons.

Mr. President presented the memorial of the mayor and common council of the city of Rochester for the same purpose, which was read and referred to the same committee.

Mr. J. B. Smith presented the petition of inhabitants of Westchester county for a repeal of "An act for the preservation of fish in the Hudson river," which was read and laid on the table.

Mr. Beekman presented the resolution of the common council of the city of Albany against the passage of the bill relating to the Albany basin, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

By unanimous consent,

On motion of Mr. Sedgwick,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the Natural History of New-York," and that the same be recommitted to the committee on literature, to consider and report complete.

Mr. Beekman, from the select committee of eight, to whom was referred the bill entitled "An act regulating the speed of steamboats whilst passing certain villages on the Hudson river," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to amend the law in rela-

tion to excise and the regulation of taverns and groceries," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

The Senate then, pursuant to order, resolved itself into a committee of the whole on the concurrent resolutions in relation to the Genesee-Valley and Black River Canals, and after some time spent thereon, Mr. President resumed the chair, and Mr. J. B. Smith, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act regulating the speed of steamboats whilst passing certain villages on the Hudson River," which was ordered to a third reading.

Six several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act for the relief of Abial Payne;" also "An act for the relief of Storm Haight, John Blood and Asa W. Cady;" also "An act for the relief of Lorenzo Bates;" also "An act for the relief of John Sanford and William Eggleston;" also "An act for the relief of John E. Van Eps;" also "An act for the relief of John Merriam and others," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on claims.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act to authorize the supervisors of the county of Schoharie to levy a tax upon the town of Carlisle for the relief of James Daba, William Young and David A. Richtmeyer;" also "An act to enable the supervisors of the city and county of New-York to raise money by tax," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on finance.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act authorizing the removal of indictments from the recorder's courts of the city of Utica, to the court of oyer and terminer, and for other purposes;" also "An act in relation to the district attorney of the county of Broome;" also "An act to authorize the first judge of the county of Erie, to appoint and hold special terms of the court of common pleas of said county," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the establishment of a house of refuge for juvenile delinquents in Western New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on State prisons.

A bill was received from the Assembly for concurrence, entitled "An act to annex lot number eight in the town of Virgil, in the county of Cortland, to the town of Cortlandville in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An

act to repeal an act to authorize and require the trustees of joint school district number fourteen of Clay and Cicero, to levy and collect for the relief of Hiram M. Wright and Joseph Rector," passed April 7, 1845, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature. .

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Shamrock Benevolent Society of the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Six several bills were received from the Assembly for concurrence with the following titles, to wit: "An act for the benefit of the Eagle Fire Company of New-York, in the city of New-York ;" also "An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo, passed April 18, 1843,' and for other purposes ;" also "An act for the benefit of the Howard Insurance Company of New-York ;" also "An act for the benefit of the New-York Contributionship Insurance Company;" also "An act for the benefit of the North American Fire Insurance Company ;" also "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

By unanimous consent,

On motion of Mr. Johnson,

Resolved, That the petition of William Buel, for relief, be referred to the Canal Commissioners for their report to be made as soon as practicable; First, as to the authority of law under which the work mentioned in the said petition was done; Secondly, whether said work was done by the petitioner under the direction of the Canal Commissioners, or any one of them, and if not, whether under the direction of any authorized agent of the State; Thirdly, up to what time the petitioner or those whom he represents have been paid for work done in pursuance of the contract mentioned in said petition.

Ordered, That the Clerk deliver a copy of said resolution with said petition to the Canal Commissioners.

On motion of Mr. Jones,

The Senate proceeded to the consideration of the motion heretofore made by him, to reconsider the vote on the question of agreeing with the committee of conference in their report upon the bill entitled "An act in relation to the duties upon goods sold at public auction, and to the bonds of auctioneers."

Mr. President then put the question on agreeing to said motion to reconsider, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. Sanford
Mr. Burnham	Mr. Lester	Mr. J. B. Smith
Mr. Clark	Mr. Lott	Mr. S. Smith
Mr. Deyo	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Wright
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Hand		

7

Mr. Van Schoonhoven then moved to lay the question of agreeing with said committee in their report, on the table.

Mr. President put the question on agreeing to the last motion and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Porter	Mr. Williams

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Folsom	Mr. Sedgwick	Mr. Wheeler
Mr. Jones	Mr. Sanford	Mr. Wright
Mr. Lester		

10

Mr. Jones offered the following resolution :

Resolved, That the Senate will hold a session to-morrow evening at seven and a half o'clock, for the purpose of considering the concurrent resolutions asking for an effective pilot system for the port of New-York.

Mr. President put the question on agreeing to the said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Denniston	Mr. Hand
Mr. Chamberlain	Mr. Deyo	Mr. Johnson

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Mr. Jones
Mr. Lester
Mr. Lott

Mr. Porter
Mr. Sedgwick
Mr. Sanford

Mr. J. B. Smith
Mr. Williams
Mr. Wright 15

FOR THE NEGATIVE.

Mr. Backus
Mr. Eminons

Mr. Folsom

Mr. Van Schoonhoven 4

Mr. Sedgwick, from the committee on literature, to whom was re-committed the bill entitled "An act in relation to the Natural History of New-York," to consider and report complete, reported the same with amendments, which were agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Talcott,

The bill in relation to the Oneida River improvement, was made the special order for Friday next, at half past 9 o'clock, A. M.

On motion of Mr. Van Schoonhoven,

Ordered, That the committee of the whole be discharged from the further consideration of the two several bills, entitled "An act to incorporate the Troy Gas Light Company;" also "An act to incorporate the Troy Vulcan Works," and that said bills be referred to the committee on manufactures to consider and report complete.

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of three several bills, entitled "An act to incorporate the New-York Portable Gas Company;" also "An act to incorporate the Genesee Cotton Mills;" also "An act to incorporate the Woollen Manufacturing Company of Greene," and that said bills be referred to the same committee to consider and report complete.

On motion of Mr. Barlow,

The bill from the Assembly, entitled "An act for the relief of John O. Frazee and others" was made the special order for Monday morning next, at 10 o'clock.

On motion of Mr. Wright,

The present and all intervening orders of business were laid on the table, and the Senate proceeded to the third reading of bills.

Thereupon,

The engrossed bill entitled "An act to incorporate the village of Ebenezer, in the county of Erie," was read the third time and laid on the table.

The bill from the Assembly entitled "An act to incorporate St. Johns College, Fordham," was read the third time and passed: two thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman

Mr. Burnham
Mr. Chamberlain

Mr. Clark
Mr. Denniston

Mr. Deyo	Mr. Jones	Mr. Sanford
Mr. Emmons	Mr. Lott	Mr. J. B. Smith
Mr. Folsom	Mr. Mitchell	Mr. Wheeler
Mr. Hand	Mr. Porter	Mr. Williams
Mr. Hard	Mr. Scovil	Mr. Wright
Mr. Johnson	Mr. Sedgwick	

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Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act to amend the charter of the Gilboa and Potters Hollow Turnpike Road Company," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Wright
Mr. Emmons	Mr. Scovil	

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FOR THE NEGATIVE.

Mr. Lester

1

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

The engrossed bill entitled "An act to amend 'An act to incorporate the trustees and associates of the Brooklyn Benevolent Society,' passed May 10th, 1845," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Beekman	Mr. Folsom	Mr. Sedgwick
Mr. Beers	Mr. Hand	Mr. Sanford
Mr. Burnham	Mr. Johnson	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Wright

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The engrossed bill entitled "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company," was read the third time and passed.

Mr. President put the question on the final passage of the engrossed bill entitled "An act in relation to sick and disabled seamen," heretofore read the third time, and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Scovil
Mr. Burnham	Mr. Hard	Mr. Sedgwick
Mr. Chamberlain	Mr. Johnson	Mr. Sanford
Mr. Clark	Mr. Jones	Mr. J. B. Smith
Mr. Denniston	Mr. Lester	Mr. S. Smith
Mr. Deyo	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Mitchell	Mr. Williams
Mr. Folsom	Mr. Porter	Mr. Wright
		24

Ordered, That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence in the same respectively.

The engrossed bill entitled "An act in relation to the New-York Equitable Insurance Company," was read the third time: and requiring two-thirds of all the members elected to the Senate to pass the same, the ayes and nays were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Beekman	Mr. Folsom	Mr. Sedgwick
Mr. Burnham	Mr. Jones	Mr. Sanford
Mr. Chamberlain	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Williams
		18

FOR THE NEGATIVE.

Mr. Barlow	Mr. Clark	Mr. Lester	3
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Whereupon before the said vote was announced,

On motion of Mr. Sanford,

Ordered, That the same be laid on the table.

The engrossed bill entitled "An act for the relief of the Auburn and Rochester Railroad Company," was read the third time.

Debates being had but without taking the question on the final passage thereof.

Mr. Jones asked for and by unanimous consent obtained leave to bring in a bill entitled "An act for the relief of the German Horse Guards in the city of New-York," which was read the first time, and

by unanimous consent was also read a second time, and referred to the committee on the militia.

On motion of Mr. Williams,

The Senate adjourned to 9 o'clock to-morrow morning.

THURSDAY, 9 O'CLOCK, A. M., APRIL 9, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

The minutes of yesterday having been read and approved,

Mr. Spencer presented the memorial of sundry citizens of Utica for the passage of an act authorizing the construction of a railroad on the south side of the Mohawk from Schenectady to Utica, which was read and referred to the committee on railroads.

Mr. Backus presented the petition of inhabitants of Ontario county for the passage of a law incorporating the Rochester University, which was read and referred to the committee on literature.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made sueable in justices' courts, which was read and laid on the table.

Mr. Clark presented four several remonstrances against the passage of the bill to construct a railroad and slack water navigation from Lake Champlain to Boonville, which were read and referred to the committee of the whole having said bill in charge.

Mr. Jones, from the committee on the militia, to whom was referred the bill entitled "An act for the relief of the German Horse Guards in the city of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly, entitled "An act authorizing the supervisors of the county of Kings to create a loan and provide further accommodations for the confinement of prisoners," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent, on motion of Mr. J. B. Smith,

The two several petitions presented yesterday for a repeal of an act for the preservation of fish in the Hudson river, were referred to the committee on commerce and navigation.

Mr. Deyo, from the committee on roads and bridges, to whom were referred several petitions for that purpose, asked for and obtained leave

to report a bill entitled "An act to amend the act entitled 'An act to incorporate the Lackawack and Neversink Turnpike Company,' passed May 7, 1844," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the Second Senate District, to consider and report complete.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 1,250 extra copies of the reports of the majority and minority of the committee on charitable and religious societies, relative to the repeal of the act of 25th January, 1814, relative to Trinity church in the city of New-York, reported against said motion and in favor of printing only 750 extra copies of said reports, respectively.

* Debates being had thereon to the hour of half past nine.

On motion of Mr. Van Schoonhoven,

Ordered, That the special orders of the day be suspended until after the reports of committees.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Chamberlain	Mr. Jones	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. Van Schoonhoven
Mr. Folsom	Mr. Mitchell	Mr. Wheeler
Mr. Hand	Mr. Scovil	Mr. Williams
		15

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Johnson		
		7

Thereupon,

Ordered, That 750 extra copies of said reports respectively, be printed.

[See Senate Documents Nos. 117 and 118.]

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the Natural History of New-York," which was ordered to a third reading.

On motion of Mr. Folsom,

Said bill was then read the third time, and the question on the final passage thereof laid on the table.

Mr. Clark, from the committee on charitable and religious societies,

to whom was referred the bill from the Assembly entitled "An act to incorporate the Shamrock Society of the city of Albany," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the same committee, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the German Washington Society of the city and county of New-York," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of Phillip Kearney, James G. King, Elibu Townsend and others, citizens of the city of New-York, for a law authorizing the confirmation of the report of commissioners of estimate and assessments in street cases, at any general or special term of the supreme court, asked for and obtained leave to report "An act in addition to an act entitled "An act to amend an act entitled 'An act to reduce several laws relating particularly to the city of New-York,' " which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition for that purpose, asked for and obtained leave to report a bill entitled "An act to change the name of the Second Associate Reformed Church in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Mitchell, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to provide for the appointing commissioners to open and improve the Rock Island and Depeyster road in the county of St. Lawrence," reported in favor of the passage thereof, without amendment, which was referred to a select committee to consist of the Senators attending the Senate from the Fourth Senate District, to consider and report complete.

Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to annex lot number eight in the town of Virgil, in the county of Cortland, to the town of Cortlandville in said county," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to authorize the first judge of the county of Erie to appoint and hold special terms of the court of common pleas of said county," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act in relation to the office of district attorney of the county of Broome," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act for the relief of Ase-nath Mougín," reported in favor of the passage thereof, with amend-ments, which was committed to a committee of the whole.

Mr. Hand, from the same committee, to whom were referred two se-veral petitions for a law requiring the supervisors of Allegany county to raise money to build a jail, reported adverse to the prayer of the peti-tioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

By unanimous consent,

Mr. Lott presented the certificate of Philip S. Crooke, Esq., clerk of the board of supervisors of Kings county, in relation to a loan to pro-vide further accommodations for the confinement of prisoners in the jail of that county, which was read and laid on the table.

Mr. Backus, from the select committee of eight, to whom was re-ferred the bill from the Assembly, entitled "An act to incorporate the Niagara Falls Ferry Association," to consider and report complete, re-ported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. President named Mr. Denniston to perform the duties of the chair, Mr. Denniston having taken the chair.

Mr. Johnson, from the select committee, consisting of the Senators attending the Senate from the Third Senate District, to whom was re-ferred the bill from the Assembly entitled "An act in relation to the city of Troy," to consider and report complete, reported the same with amendments.

Debates being had thereon to the hour of 11,

On motion of Mr. Jones,

The present and all intervening orders of business were laid on the table, and the Senate proceeded to the further consideration of the question of agreeing with the committee of conference in their report upon the bill from the Assembly, entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers."

Debates being had thereon to the hour of 12,

On motion of Mr. Jones,

The special order relating to private claims was suspended.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as fol-low :

FOR THE AFFIRMATIVE.

Mr. Beers
Mr. Burnham
Mr. Clark
Mr. Deyo
Mr. Folsom

Mr. Hard
Mr. Jones
Mr. Lester
Mr. Lott
Mr. Mitchell

Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith
Mr. Wheeler

FOR THE NEGATIVE.

Mr. Backus
Mr. Beekman
Mr. Denniston
Mr. Emmons

Mr. Hand
Mr. Porter
Mr. Spencer

Mr. Talcott
Mr. Williams
Mr. Young

10

Thereupon,

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the amendments reported by the committee of conference thereto, therewith delivered.

The execution of the special orders being called for,

Mr. Wright offered the following resolution :

Resolved, That the special order of business be suspended for the purpose of going into the election of a President pro tempore.

Mr. Lester raised as a point of order that the constitution would preclude the Senate from the action contemplated by the resolution, and was proceeding to state the reasons for raising this point of order, when Mr. Jones called Mr. Lester to order, insisting that as the resolution related to the priority of business, it was not debatable.

Mr. President decided that the Senator was in order.

From this decision Mr. Wright appealed.

Mr. Johnson moved to lay the whole subject on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Beers
Mr. Deyo
Mr. Hand
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Sedgwick
Mr. S. Smith

Mr. Spencer
Mr. Talcott
Mr. Williams
Mr. Young

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FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons

Mr. Folsom
Mr. Hard
Mr. Jones
Mr. Mitchell
Mr. Scovil

Mr. Sanford
Mr. J. B. Smith
Mr. Van Schoonhoven
Mr. Wheeler
Mr Wright

15

The Lieutenant-Governor having returned, resumed the chair.

Mr. Lester proceeded to debate, Mr. Van Schoonhoven called the Senator to order, inasmuch as he was not discussing the question upon which the appeal was taken.

Mr. Lester was then permitted to proceed in order.

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Mr. Beekman moved to lay the whole subject on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Beekman	Mr. Johnson	Mr. Talcott	
Mr. Beers	Mr. Lester	Mr. Williams	
Mr. Denniston	Mr. Porter	Mr. Young	
Mr. Deyo	Mr. Sedgwick		14
Mr. Burnham	Mr. Hard	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Jones	Mr. Spencer	
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Scovil	Mr. Wheeler	
Mr. Folsom	Mr. Sanford	Mr. Wright	15

Mr. President then put the question, "shall the decision of the chair stand as the judgment of the Senate," and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Lester	Mr. S. Smith	
Mr. Deyo	Mr. Porter	Mr. Young	
Mr. Johnson	Mr. Sedgwick		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith	
Mr. Burnham	Mr. Hard	Mr. Spencer	
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven	
Mr. Clark	Mr. Mitchell	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	
Mr. Folsom	Mr. Sanford		17

Mr. Talcott then moved to lay the whole subject on the table.

Mr. President then put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Denniston	Mr. Hand
Mr. Beers	Mr. Deyo	Mr. Johnson

Mr. Lester	Mr. S. Smith	Mr. Williams	
Mr. Porter	Mr. Spencer	Mr. Young	
Mr. Sedgwick	Mr. Talcott		14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford	
Mr. Burnham	Mr. Hard	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven	
Mr. Clark	Mr. Mitchell	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	15

Mr. Beekman moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

Mr. Beekman	Mr. Johnson	Mr. Spencer	
Mr. Beers	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Hand	Mr. S. Smith		14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford	
Mr. Burnham	Mr. Hard	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven	
Mr. Clark	Mr. Mitchell	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	15

Mr. Johnson then moved to amend said resolution offered by Mr. Wright, by striking out all after the word "suspended," and inserting "and that the Senate resolve itself into a committee of the whole on the bill entitled "An act in relation to the State Lunatic Asylum."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Spencer	
Mr. Beers	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Hand	Mr. S. Smith		14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Johnson then moved to strike out as aforesaid, and insert instead thereof, "and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Johnson then moved to strike out as aforesaid, and insert instead thereof, "and that the Senate proceed to the consideration of the bill entitled "An act for the relief of John Ferris and Thomas Marvin."

Mr. President then put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Lester	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Johnson	Mr. S. Smith	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Porter moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Johnson then moved to amend said resolution by striking out all after the word "suspended."

Mr. President put the question on agreeing to said motion,

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Wright
Mr. Emmons	Mr. Sanford	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Johnson then moved to strike out as aforesaid, and insert instead thereof, "and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Johnson then moved to strike out as aforesaid, and insert instead thereof, "and that the Senate proceed to the consideration of the bill entitled "An act for the relief of John Ferris and Thomas Marvin."

Mr. President then put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Lester	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Johnson	Mr. S. Smith	

11

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Porter moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

Mr. Johnson then moved to amend said resolution by striking out all after the word "suspended."

Mr. President put the question on agreeing to said motion,

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Wright
Mr. Emmons	Mr. Sanford	

14

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Mr. Van Schoonhoven then moved to add to said resolution as amended the words following, "for the purpose of appointing a president pro tempore, and that said appointment be made at twenty minutes before three o'clock this day.

Mr. Lester raised a point of order, insisting that the Senate could not choose a temporary president, when the Lieutenant-Governor was attending as president.

Mr. President decided that said amendment was not in order.

Mr. Beers then moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion.*

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Beekman	Mr. Johnson	Mr. Spencer	
Mr. Beers	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	15

FOR THE NEGATIVE.

Mr. Burnham	Mr. Hard	Mr. Sanford	
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith	
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Mitchell	Mr. Wheeler	
Mr. Folsom	Mr. Scovil	Mr. Wright	15

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Thereupon,

The Senate adjourned to 9 o'clock to-morrow morning.

FRIDAY, 9 O'CLOCK, A. M., APRIL 10, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Steele.

The minutes of yesterday were read.

Thereupon,

Mr. Clark called for the reading of that portion of the said minutes

which was read in the words following, viz : "Mr. President named Mr. Denniston to perform the duties of the chair, under the 7th rule of the Senate."

Mr. Clark then moved to amend the said minutes by striking out from the portion read as aforesaid, the words following: "under the 7th rule of the Senate."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams

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Mr. Clark then called for the reading of that portion of the said minutes, which was read in the words following, viz :

"Mr. Lester raised a point of order to the reception of the resolution, on the ground that as the President had attended the Senate in that capacity to-day, was at the time only temporarily absent from the chair, and had named a senator to perform its duties during such absence, according to the 7th standing rule of the Senate, the President could not be regarded as absent within the meaning of the 3d section of the 1st article of the constitution, and a resolution to proceed to the election of a temporary President was not therefore in order, and whilst stating the said point of order."

Mr. Clark then moved to amend said minutes by striking out the portion thereof, last read as aforesaid.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Clark	Mr. Hard
Mr. Chamberlain	Mr. Emmons	Mr. Jones

Mr. Lott
Mr. Mitchell
Mr. Scovil

Mr. Sanford
Mr. J. B. Smith

Mr. Van Schoonhoven
Mr. Wheeler

13

FOR THE NEGATIVE.

Mr. Beekman
Mr. Denniston
Mr. Deyo
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Sedgwick
Mr. S. Smith

Mr. Talcott
Mr. Williams
Mr. Young

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Mr. Clark then moved to amend said minutes by inserting in the place of the words last stricken out, the following words, viz :

"Mr. Lester raised a point of order and was proceeding to state the same."

Mr. Lester moved to amend the said proposed amendment by inserting after the word "order," the following words, viz : "to the reception of the resolution."

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Denniston
Mr. Deyo
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Sedgwick
Mr. S. Smith

Mr. Talcott
Mr. Williams
Mr. Young

11

FOR THE NEGATIVE.

Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons

Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell

Mr. Scovil
Mr. Sanford
Mr. J. B. Smith
Mr. Wheeler

12

Mr. Beers then moved to amend the motion made by Mr. Clark, by striking out all after the word "raised," and insert the following words, viz : "as a point of order that the constitution would preclude the Senate from the action contemplated by the resolution. and was proceeding to state the reasons for raising this point of order, when."

Mr. Clark accepted the said amendment last stated.

Mr. President then put the question on agreeing to said motion of Mr. Clark, as amended, and it was decided in the affirmative.

The minutes of yesterday having been amended accordingly.

Mr. President put the question on approving the said minutes as amended, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Jones	Mr. Sanford
Mr. Chamberlain	Mr. Lott	Mr. J. B. Smith
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Scovil	Mr. Wheeler
Mr. Hard		

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young

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A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Fort-Hill Cemetery Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Three several bills were received from the Assembly for concurrence entitled "An act to incorporate the University of Rochester;" also "An act to dissolve the corporation known as the Buffalo Literary and Scientific Academy, and to provide for the just disposition of the property of such incorporation;" also "An act for the relief of the trustees of the Onondaga Academy," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence, entitled "An act authorizing Elisha Powell, George H. Benham and Lansing Clute, members of the Presbyterian Society of the town of Milton, in the county of Saratoga, to convey certain real estate;" also "An act authorizing the election of trustees of public lands in the town of Eastchester, and defining their duties," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Two several bills were received from the Assembly for concurrence entitled "An act further to amend an act entitled 'An act to incorporate the New-York Fire Insurance Company of the city of New-York,' passed April 18, 1832;" also "An act to amend the act to provide for paying the debts of Insolvent Safety Fund Banks," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled "An act to amend an act passed March 15th, 1839, to incorporate the

Painted Post Bridge Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Three several bills were received from the Assembly for concurrence entitled "An act for the relief of Sarah Combs, widow of John Combs;" also "An act for the benefit and relief of Francis Englishbee;" also "An act to authorize Harrison Stephens, to take, hold and convey real estate," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly, entitled "An act in relation to duties on goods sold at public auction, and to the bonds of auctioneers," with a message informing that they had concurred in the report of the committee of conference appointed on said bill, and had passed and amended the said bill so as to conform to the report of said committee.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Thomas Beach Clark, and to authorize the collection of taxes in the town of Williamsburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Eight several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act for the relief of William A. Mills and Hezekiah Johnson;" also "An act for the relief of Jonas Ingraham;" also "An act for the relief of Daniel Knight;" also "An act for the relief of Merritt Clark, Richard Clark, Ambrose Clark and George D. Wheeler, contractors on section number five of the Genesee-Valley Canal;" also "An act for the relief of George Wheeler and others;" also "An act for the relief of John Reynolds;" also "An act for the relief of Seymour N. Marsh;" also "An act for the relief of Rosel and Charles Blackman, William Smith, Morrison Rollo, and Wiburt and Sandford," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on claims.

Mr. Van Schoonhoven presented the petition of inhabitants of Herkimer county for the passage of an act to extend the Troy and Schenectady railroad, on the south side of the Mohawk, to the city of Utica, which was read and referred to the committee on railroads.

Mr. Hard presented a petition of a majority of the common council of the city of Schenectady for the same purpose, which was read and referred to the same committee.

Mr. Van Schoonhoven presented the petition of Hezekiah Pettit and a large number of other citizens of Greene county, asking the passage of a law for the relief of convicts imprisoned for offences growing out of the relation of landlord and tenant in this State, which was read and referred to the committee on the judiciary.

Mr. S. Smith presented the petition of the President, Directors and

Company of the Cohocton Bridge Company for an amendment of their charter, which was read and referred to the committee on roads and bridges.

Mr. Denniston presented the petition of citizens of Orange county, for the repeal of the law preventing fishing from six o'clock, P M., to six o'clock, A. M., which was read and referred to the committee on commerce and navigation.

Mr. Wright presented the petition of citizens of the city of Albany, for a repeal of a portion of the third section of the law of 1831, authorizing the appointment of a measurer of stone in the city of Albany, which was read and referred to the committee on manufactures.

Mr. Lester presented the petition of citizens of Ontario county, that the Auburn and Rochester Railroad Company, may be made suable in justices' courts, which was read and laid on the table.

Mr. Spencer presented the petition of Susa Hendrick, praying that she and her children may be paid for their lands ceded to this State, which was read and referred to the Commissioners of the Land Office for their report thereon.

Mr. Williams presented the memorial of citizens of Westchester county, for the Hudson River Railroad, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed four several bills with the following titles, to wit: "An act in addition to an act entitled an act to amend an act entitled 'An act to reduce several laws relating particularly to the city of New-York, into one act,'" also "An act to incorporate the German Washington Society of the city and county of New-York;" also "An act to change the name of the Second Associate Reformed Church in the city of New-York;" also "An act for the relief of the German Horse Guards of the city of New-York," which were severally ordered to a third reading.

Mr. Backus, from the select committee, consisting of one Senator attending the Senate from each Senate district, to whom was referred the bill from the Assembly entitled "An act to incorporate the Niagara Fall's International Bridge Company," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to incorporate the University of Rochester," reported in favor of the passage thereof, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly, entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mitchell, from the select committee consisting of the Senators attending the Senate from the Fourth Senate District, to whom was referred the bill from the Assembly entitled "An act to provide for the

appointing commissioners to open and improve the Rock Island and De Peyster road, in the county of St. Lawrence," to consider and report complete, reported the same complete, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of the county of Schoharie to levy a tax upon the town of Carlisle for the relief of James Dana, William Young and David A. Richtmeyer," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act for the relief of the trustees of the Onondaga Academy," reported in favor of the passage thereof, without amendment, which was recommitted to the same committee to consider and report complete.

Mr. Hand, from the committee on State prisons, to whom was referred the bill from the Assembly entitled "An act to authorize the establishment of a house of refuge for juvenile delinquents in Western New-York," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to dissolve the corporation known as 'The Buffalo Literary and Scientific Academy,' and to provide for the just disposition of the property of such incorporation," reported in favor of the passage thereof, and,

On motion of Mr. Emmons,

It was recommitted to the committee on literature, to consider and report complete.

Mr. Beers, from the committee on commerce and navigation, to whom was referred the bill from the Assembly entitled "An act to repeal 'An act for the preservation of fish in the Hudson River,' passed March 22d, 1845," reported in favor of the passage thereof, without amendment.

Mr. J. B. Smith moved that the said bill be ordered to a third reading.

Mr. Beekman moved to lay the whole subject on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman
Mr. Clark

Mr. Deyo
Mr. Emmons

Mr. Hard
Mr. Johnson

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FOR THE NEGATIVE.

Mr. Barlow

Mr. Beers

Mr. Burnham

Mr. Denniston	Mr. Mitchell	Mr. Talcott
Mr. Hand	Mr. Sanford	Mr. Van Schoonhoven
Mr. Jones	Mr. J. B. Smith	Mr. Wheeler
Mr. Lott	Mr. S. Smith	Mr. Williams

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Mr. Johnson moved that said bill be committed to a committee of the whole.

Mr. President put the question on agreeing to said last motion.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Spencer
Mr. Beekman	Mr. Hard	Mr. Van Schoonhoven
Mr. Clark	Mr. Johnson	Mr. Young
Mr. Deyo	Mr. Mitchell	

11

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Beers	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Hand	Mr. Sanford	

11

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Thereupon,

Said bill was committed to a committee of the whole.

Mr. Denniston, from the committee on canals, to whom were referred the several petitions for the incorporation of the Niagara Canal and Hydraulic Company, reported against the prayer of the petitioners, which was laid on the table.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act extending the powers of a justice of the peace as to issuing executions after the term of his office has expired," reported in favor of the passage thereof, with amendments, which was laid on the table.

Ordered, That the usual number of copies of said bill with the amendments, be printed.

Mr. Lott, from the same committee, to whom was referred the bill entitled "An act to amend an act concerning attachments against absconding, concealed and non-resident debtors," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Deyo, from the select committee, consisting of the Senators attending the Senate from the Second Senate district, to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the Lackawack and Neversink Turnpike Company,' passed May 7, 1844, to consider and report complete, reported the same without

amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Beekman,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act relating to the temporary relief of the poor," and that the same be referred to a select committee, to consist of one Senator attending the Senate from each Senate District, to consider and report complete.

The President announced, and thereupon,

Ordered, That Mr. Beekman, Mr. Sanford, Mr. Deyo, Mr. Mitchell, Mr. Barlow, Mr. Wheeler, Mr. Williams, and Mr. Emmons be such committee.

On motion of Mr. Porter,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Homoeopathic College of Western New-York," and that the same be engrossed for a third reading.

On motion of Mr. J. B. Smith,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to prevent fires along the track of the Long-Island Railroad," and that said bill be referred to a select committee, to consist of the Senators attending the Senate from the Second Senate district, to consider and report complete.

On motion of Mr. Beekman,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Westfall May and others," and that the same be referred to a select committee to consist of the Senators attending the Senate from the Third Senate District, to consider and report complete.

The report of the circuit judge of the first circuit, of the testimony taken on the trial of Smith A. Boughton, at a lateoyer and terminer in Columbia county, pursuant to a resolution of the Senate, was received, read and referred to the committee on the judiciary.

On motion of Mr. Talcott,

The bill entitled "An act in relation to the Oneida River improvement," was made the special order for to-morrow morning at half past 9 o'clock.

On motion of Mr. Spencer,

The bill entitled "An act in relation to the State Lunatic Asylum," was made the special order for to-morrow morning, at 10 o'clock.

On motion of Mr. Williams,

The bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany" was made the special order for Monday next, at 12 o'clock, M.

Mr. Hand moved that the bill entitled "An act to provide for the construction of a railroad and slack-water navigation from or near Port Kent, on Lake-Champlain to Boonville," be the special order for this afternoon at 4 o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Baekus	Mr. Emmons	Mr. S. Smith
Mr. Beekman	Mr. Hand	Mr. Talcott
Mr. Beers	Mr. Hard	Mr. Wheeler
Mr. Burnham	Mr. Jones	Mr. Williams
Mr. Chamberlain	Mr. Porter	Mr. Young
Mr. Clark		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Lott	Mr. Van Schoonhoven
Mr. Deyo		

4

The Senate then, pursuant to order, again resolved itself into a committee of the whole on the bill entitled "An act to abolish distress for rent, and for other purposes," and after some time spent thereon, Mr. President resumed the chair, and Mr. Backus, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," and that the same be engrossed for a third reading.

On motion of Mr. Johnson,

Resolved, That the Clerk transmit a respectful message to the Assembly, requesting that House to take from their files and send to the Senate the report or communication of the Canal Board, made in 1842, in the matter of Abiel Payne.

Then the Senate took a recess till 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met.

And again resolved itself into a committee of the whole on the bill entitled "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain, to Boonville," and after some time spent thereon, Mr. President resumed

the chair, and Mr. Sedgwick, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, with amendments.

On motion of Mr. Spencer,

Resolved, That said bill with the amendments be referred to a select committee to consider and report complete.

The President announced, and thereupon,

Ordered, That Mr. Spencer, Mr. Hand and Mr. Lester be such committee.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills entitled "An act to amend the act entitled 'An act to incorporate the Lackawack and Neversink Turnpike Company,' passed May 7th, 1844 ;" also "An act to incorporate the New-York and Offing Magnetic Telegraph Association," which were severally ordered to a third reading.

Then the Senate adjourned to 9 o'clock to-morrow morning.

SATURDAY, 9 O'CLOCK, A. M., APRIL 11, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

The minutes of yesterday having been read and approved.

Mr. Barlow presented the petition of inhabitants of Oneida county for the passage of the law for the railroad on the south side of the Mohawk, which was read and referred to the committee on railroads.

Mr. Lester presented the petition of citizens of Ontario county, that the Auburn and Rochester Railroad Company may be made suable in justices' courts, which was read and laid on the table.

Mr. Sedgwick presented the remonstrance of inhabitants of Onondaga county against the passage of the bill to repair the goad of said county, which was read and laid on the table.

A bill was received from the Assembly entitled "An act to amend the charter of the Gilboa and Potter's Hollow Turnpike Road Company," with a message, informing that they had concurred with the Senate in their amendments to the said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Hand, from the minority of the committee on State prisons, to whom were referred sundry petitions for a law to abolish corporal pun-

ishments in our State prisons, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act in relation to State prison discipline," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill, respectively, be printed.

[*See Senate Document No. 121.*] *

Mr. Backus, from the minority of the same committee, made a written report on the same subject, asked for and obtained leave to report a bill entitled "An act to abolish whipping in the State prisons," which was read the first time, and by unanimous consent was also read a second time, and committed to the same committee of the whole.

Ordered, That the usual number of copies of the last mentioned report and bill respectively, be printed.

[*See Senate Document No. 120.*]

Mr. Mitchell moved that 1,000 extra copies of said reports, respectively, be printed, which motion was referred to the committee on public printing.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit: "An act to incorporate the Homœopathic College of Western New-York;" also "An act to amend an act concerning attachments against absconding, concealed and non-resident debtors," which were severally ordered to a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Fort Hill Cemetery Association," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly, entitled "An act to amend an act passed March 15th, 1839, to incorporate the Painted Post Bridge Company," reported in favor of the passage thereof, which was referred to a select committee to consist of the Senators attending the Senate from the Sixth Senate District, to consider and report complete.

On motion of Mr. Spencer,

The Senate then resolved itself into a committee of the whole on the bill entitled "An act in relation to the State Lunatic Asylum," and after some time spent thereon, Mr. President resumed the chair, and Mr. Johnson, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments.

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer
Mr. Barlow	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Denniston *	Mr. Sedgwick	Mr. Wheeler
Mr. Emmons	Mr. J. B. Smith	Mr. Williams
		15

FOR THE NEGATIVE.

Mr. Johnson	Mr. Porter	Mr. Young
Mr. Lester		
		4

Thereupon,

Said bill was ordered to be engrossed for a third reading.

Mr. Young, from the committee on literature, to whom was recommended the bill from the Assembly entitled "An act to dissolve the corporation known as the Buffalo Literary and Scientific Academy, and to provide for the just disposition of the property of such incorporation," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The report of the Canal Commissioners on the petition of William Buell, was received and read, and with said petition referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 119.]

Mr. Spencer, from the select committee, to which was referred the bill entitled "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain, to Bobnville," to consider and report complete, reported the same with amendments, which was laid on the table.

On motion of Mr. Talcott,

The bill entitled "An act in relation to the Oneida River improvement," was made the special order for Monday morning next at half past 9 o'clock.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 1,000 extra copies of the reports respectively of the majority and minority of the committee on State prisons, relative to State prison discipline, reported in favor of said motion, which was agreed to by the Senate.

Thereupon,

Ordered, That 1,000 extra copies of said report respectively, be printed.

[See Senate Documents Nos. 120 and 121.]

Mr. Hard moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell
Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven
Mr. Clark	Mr. Lott	Mr. Wheeler

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Lester	Mr. Spencer
Mr. Beers	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	Mr. Williams
Mr. Deyo	Mr. S. Smith	Mr. Young
Mr. Johnson		

13

Mr. Backus moved that the Senate do now proceed to the third reading of bills.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell
Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven
Mr. Clark	Mr. Lott	

8

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. S. Smith	Mr. Young

12

Mr. Lester moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the election of delegates to the convention of the people of this State," and that said bill be ordered to be engrossed for a third reading.

Mr. Hard moved that the Senate do now adjourn.

Mr. President then put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Mitchell	8

FOR THE NEGATIVE.

Mr. Backus	Mr. Lester	Mr. Spencer
Mr. Barlow	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Johnson	Mr. S. Smith	11

Mr. President put the question on agreeing to Mr. Lester's motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Hand		13

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Spencer
Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
		9

Thereupon,

Ordered, That said bill be engrossed for a third reading.

Mr. Hard moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Hard	Mr. Mitchell
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Emmons		7

FOR THE NEGATIVE.

Mr. Barlow	Mr. Lester	Mr. Spencer
Mr. Beers	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	Mr. Williams
Mr. Johnson	Mr. S. Smith	Mr. Young
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Then, on motion of Mr. Barlow,
The Senate proceeded to the consideration of executive business, and
Afterwards,

The Senate adjourned to 9 o'clock on Monday morning.

MONDAY, 9 O'CLOCK, A. M., APRIL 13, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Steele.

The minutes of Saturday having been read and approved,

Mr. Johnson presented the affidavit of O. N. Steele, in support of the claim of Charles R. Hopper for relief, which was read and referred to the committee on public expenditures.

By unanimous consent,

On motion of Mr. Johnson,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of John Ferris and Thomas Marvin," and that said bill be recommitted to the committee on grievances, to consider and report complete.

Mr. Folsom presented the petition of R. S. Pell and others, of the town of Esopus, in Ulster county, for the change of the name of said town to Riverside, which was read and referred to the committee on grievances.

Mr. Denniston, from the committee on canals, to whom was referred the petition of inhabitants of Oswego county, for a repeal of the act incorporating the Sodus Canal Company, and the several acts amending the same, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act authorizing the removal of indictments from the recorders' court of the city of Utica, to the court of oyer and terminer, and for other purposes," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

By unanymous consent,

Mr. Talcott presented the petition of citizens of Utica, in favor of said bill, which was read and laid on the table with said bill.

On motion of Mr. Backus,

Ordered, That bill number eighteen "authorizing the establishment of a Lunatic Asylum for Western New-York;" and bill number one hundred and fifty-seven, "authorizing the establishment of an asylum for idiots," be made the special order for four o'clock this afternoon.

On motion of Mr. Sedgwick,

Ordered, That the engrossed bill entitled "An act in relation to the Natural History of the State," be recommitted to the committee on literature, to consider and report complete.

Mr. Folsom asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to change the name of Esopus, in the county of Ulster, to Riverside," which was read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

On motion of Mr. Talcott,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Asenath Mougins," with the amendments proposed thereto, and that the same be referred to a select committee to consist of the Senators attending the Senate from the Fifth Senate District, to consider and report complete.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the State Lunatic Asylum," which was ordered to a third reading.

Mr. Johnson moved that the bill from the Assembly entitled "An act to authorize the Canal Board to assume in behalf of the State the Dansville slip and basin," be made the special order of the day for Wednesday morning next, immediately after the reports of committees.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Porter	
Mr. Beers	Mr. Hard	Mr. S. Smith	
Mr. Denniston	Mr. Johnson	Mr. Talcott	
Mr. Emmons	Mr. Lester		11

FOR THE NEGATIVE.

Mr. Burnham	Mr. Lott	Mr. Sedgwick	
Mr. Chamberlain	Mr. Mitchell	Mr. Young	
Mr. Clark			7

On motion of Mr. Porter,

Ordered, That the bill entitled "An act to amend the Revised Statutes, in relation to the exemption of incorporated companies from taxa-

tion, and for other purposes," be made the special order of the day for Wednesday morning next, immediately after the special order last above mentioned.

The bill from the Assembly, entitled "An act for the preservation of game in the county of Saratoga," was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The engrossed bill entitled "An act for the relief of the trustees of school district number eleven, in the town of Otselic, Chenango county," was read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Porter
Mr. Barlow	Mr. Hard	Mr. Putnam
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Sedgwick	Mr. Young
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Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The hour of half past nine having arrived, the Senate, pursuant to order, resolved itself into a committee of the whole on the bill entitled "An act in relation to the Oneida River Improvement," and after some time spent thereon Mr. President resumed the chair, and Mr. Hard, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate with amendments.

Mr. J. B. Smith moved to lay said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Emmons
Mr. Burnham	Mr. Clark	Mr. Hard

Mr. Porter
Mr. Putnam
Mr. Scovil

Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith

Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler 15

FOR THE NEGATIVE.

Mr. Barlow
Mr. Denniston

Mr. Folsom
Mr. Johnson

Mr. Lott
Mr. Young 6

On motion of Mr. J. B. Smith,

Ordered, That the bill entitled "An act to provide for the construction of a railroad from New-York to Albany," be made the special order for to-morrow morning, immediately after the reports of committees.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act for the relief of Nelson Wolcott;" also "An act for the preservation of game in Columbia county;" also "An act to amend an act entitled 'An act for the preservation of game in the county of Ulster,' passed May 10, 1845," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence, entitled "An act authorizing the trustees of the Presbyterian Congregational Society of the town of Northeast, to convey certain real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to provide for the erection and establishment of a work-house in the county of Erie," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the president, directors and first company of the Northern Turnpike Road," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Ocean Steam Navigation Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate a fire company at Matteawan, in the county of Dutchess," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Barlow,

Ordered, That the bill entitled "An act for the relief of John O. Frazee, Julius C. Foster and Benjamin Frazee," be made the special order for to-morrow morning at 11 o'clock.

Thereupon,
On motion of Mr. Putnam,

The Senate adjourned to 9 o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., APRIL 14, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday having been read and approved,

Mr. Lott presented two several petitions from dry goods merchants and others, citizens of New-York, in favor of the Hudson River railroad, which were severally read and referred to the committee of the whole, when on the bill to which they relate.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act authorizing the trustees of the Presbyterian Congregational Society of the town of Northeast to convey certain real estate," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Sedgwick, from the committee on literature, to whom was re-committed the engrossed bill entitled "An act in relation to the Natural History of New-York," to consider and report complete, reported the same with amendments, which was recommitted to said committee to consider and report complete.

Mr. Beekman, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act to provide for the erection and establishment of a work-house in the county of Erie," reported in favor of the passage thereof, which was referred to a select committee, to consist of the Senators attending the Senate from the Eight Senate district, to consider and report complete.

Mr. Emmons, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of John Sanford and William Eggleston," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Wheeler, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the relief of Abiel Payne," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Beekman, from the select committee, consisting of the Senators attending the Senate from the Third Senate district, to whom was referred the bill entitled "An act for the relief of Westfall May and others," to consider and report complete, reported the same complete without

amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Mitchell, from the committee on public expenditures, to whom was referred the bill entitled "An act for the relief of John Ferris and Thomas Marvin," to consider and report complete, reported the same complete, with amendments, and the title altered so as to read as follows: "An act for the relief of John Ferris, Thomas Marvin and Charles R. Hopper," which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

By unanimous consent,

Mr. Clark presented the remonstrance of citizens of Salem and Jackson, against a law to allow the First Company of the Northern Turnpike Road to abandon a part thereof, which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Denniston presented the petition of citizens of Dansville for the passage of the bill before the Senate relative to the Dansville slip and basin, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Chamberlain, from the select committee consisting of the Senators attending the Senate from the Sixth Senate District, to whom was referred the bill from the Assembly entitled "An act to amend an act passed March 15th, 1839, to incorporate the Painted Post Bridge Company," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. J. B. Smith, from the select committee, consisting of the Senators attending the Senate from the Second Senate District, to whom was referred the bill from the Assembly entitled "An act to prevent fires along the track of the Long-Island Railroad," to consider and report complete, reported the same with amendments, which was laid on the table.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the election of delegates to the convention of the people of this State, and moved that said bill be recommitted to a select committee to consider and report complete.

Mr. Putnam moved to lay said bill, with the motion, on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus

Mr. Eimmons

Mr. Scovil

Mr. Chamberlain

Mr. Hard

Mr. Van Schoonhoven

Mr. Clark

Mr. Putnam

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FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman
Mr. Boers
Mr. Burnham
Mr. Denniston
Mr. Deyo
Mr. Folsom

Mr. Johnson
Mr. Lester
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Sedgwick

Mr. J. B. Smith
Mr. S. Smith
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Young

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Mr. President put the question on agreeing to Mr. Lester's motion, and it was decided in the affirmative.

Mr. President announced, and thereupon,

Ordered, That Mr. Lester, Mr. Lott and Mr. Talcott be such committee.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15, 1845," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly, entitled "An act to confirm the official acts of Isaac Jones, a justice of the peace," with a message, informing that they had concurred in all the amendments of the Senate to said bill, except the sixth, and that as to that amendment they do concur therein, with an amendment thereto, by striking out from the fourth section of the original bill the words "Isaac Jones," in the first line, and inserting in lieu thereof, the words: "several justices of the peace," and also that they had amended the title so as to read as follows: "An act to confirm the official acts of certain justices of the peace," which was referred to the committee on the judiciary.

Mr. Wheeler asked for and by unanimous consent obtained leave to bring in a bill entitled "An act declaring Quaker Run Creek in the county of Cattaraugus, a public highway," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Sixth Senate District, to consider and report complete.

Six several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act to punish seduction and adultery, and for other purposes;" also "An act in relation to the stay of proceedings by bills of exceptions in action of ejectment;" also "An act to amend the Revised Statutes, so as to authorize executors and administrators to compromise debts due to them from insolvent debtors;" also "An act to authorize the recording of wills of real estate and of exemplifications of judgment records and decrees in partition suits, and for other purposes;" also "An act for the better security of mechanic's and others erecting buildings and furnishing materials therefor in the county of Richmond;" also "An act to confirm certain official acts of the commissioners of highways of the town of Pembroke," which were sev-

rally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to provide for draining certain lands in the town of Black-Rock;" also "An act to prevent the destruction of oysters in the waters of Richmond county," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to repeal the act incorporating the village of Westfield, in the county of Chautauque;" also "An act to amend an act entitled 'An act to provide for the appointment of a police justice in the village of Saratoga Springs,' passed May 14, 1845," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, on motion of Mr. Emmons,

Ordered, That the bill from the Assembly entitled "An act to authorize the Canal Commissioners to increase the size of the side lock at the village of Tonawanda, when rebuilding the same," be made the special order for to-morrow, immediately after the reports of committees.

On motion of Mr. Beekman,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to incorporate the Hudson Orphan and Relief Association," and that the same be referred to the committee on charitable and religious societies, to report complete.

Mr. Lester, from the select committee, to whom was recommitteed the engrossed bill entitled "An act in relation to the election of delegates to the convention of the people of this State," to consider and report complete, reported the same with amendments.

Mr. Clark moved to amend the title of said bill so as to read as follows, "An act to amend the act recommending a convention of the people of this State," passed May 13, 1845.

Debates being had but without taking the question thereon.

Mr. Hard moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam
Mr. Burnham	Mr. Hard	Mr. Scovil
Mr. Chamberlain	Mr. Lou	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons		

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Beers	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo	Mr. J. B. Smith	

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On motion of Mr. J. B. Smith,

Ordered, That the bill from the Assembly entitled "An act to provide for the construction of a railroad from New-York to Albany," be made the special order for to-morrow morning, immediately after the reports of committees.

Mr. J. B. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lett	Mr. Van Schoonhoven
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Putnam	

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Beers	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo		

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Thereupon,

The Senate adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., APRIL 15, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague,

The minutes of yesterday having been read and approved,

A message was received from the Governor, informing that he had on the 14th instant approved and signed the bill entitled "An act to amend an act entitled 'An act to enforce the laws and preserve order,' passed April 15th, 1815.

Five several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act to provide for the appointment of a supreme court commissioner to reside at Rensselaerville;" also "An act to prevent abuses in the administration of justice and bailing of prisoners in the county of Erie;" also "An act to enable the trustees of school districts to obtain a title to land for the site of school houses;" also "An act for the relief of Livingston Schuyler;" also "An act to amend section eighteen of title six, chapter nine and part one of the Revised Statutes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to authorize Samuel Bloss to erect a dock adjoining his land on the Oneida Lake," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled "An act to continue in force an act entitled 'An act to encourage the growth and manufacture of silk,' passed May 26, 1841," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to provide for building a bridge at Port Benjamin in the town of Wawarsing," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to authorize the Canal Commissioners to commute with the town of Rotterdam, in relation to a bridge over the Erie canal," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled "An act in relation to the support of the poor in the county of Wayne," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the trustees of the school district at the village of Williamsville, in the town of Amherst and county of Erie, to make separate rate bills for the higher and primary departments of the schools

kept in said district," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to annex the towns of Eagle and Pike and part of Portage, to the county of Wyoming,' passed April 1, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly, entitled "An act for the relief of the president, directors and first company of the Northern Turnpike Road," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Williams, from the majority of the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to authorize the Troy and Schenectady Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk River, to the city of Utica," in writing, reported the bill for the consideration of the Senate, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 122.*]

Mr. Beers from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to incorporate the village of Cold Spring," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Beers, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice in the village of Saratoga Springs,' passed May 14, 1845," reported against the passage thereof, which was committed to a committee of the whole.

By unanimous consent,

Mr. Deyo presented the remonstrance of inhabitants of Esopus, Ulster county, against the change of name of said town, which was read and referred to the committee on grievances.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to amend the act to provide for paying the debts of insolvent Safety Fund banks," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. J. B. Smith, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to prevent the destruction of oysters in the waters of Richmond county," reported in

favor of the passage thereof, which was committed to a committee of the whole.

Mr. Scovil, from the same committee, to whom was referred the bill from the Assembly, entitled "An act for the relief of Nelson Walcott," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

On motion of Mr. Scovil,

The committee on grievances was discharged from the further consideration of the bill from the Assembly entitled "An act to provide for draining certain lands in the town of Black Rock," and said bill was referred to the committee on canals.

Mr. Scovil, from the committee on grievances, to whom referred the bill from the Assembly entitled "An act for the relief of Sarah Combs, widow of John Combs," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act concerning the Natural History of the State," to consider and report complete, reported the same with amendments, which was laid on the table.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Hudson Orphan and Relief Association," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Jones, from the committee on commerce and navigation, to whom was referred the bill from the Assembly entitled "An act to authorize Samuel Bloss to erect a dock adjoining his land on the Oneida lake," reported in favor of the passage thereof, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit: "An act for the relief of John Ferris, Thomas Marvin and Charles R. Hopper;" also "An act for the relief of Westfall May and others," which were severally ordered to a third reading.

Mr. Emmons, from the select committee consisting of the Senators of the Eighth Senate District, to whom was referred the bill from the Assembly entitled "An act to provide for the erection and establishment of a work house in the county of Erie," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

A message was received from the Assembly, informing that they had passed the bill entitled "An act in relation to the dissolution of common schools," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Chamberlain, from the select committee, consisting of the Senators attending the Senate from the Sixth Senate District, to whom was referred the bill entitled "An act declaring Quaker Run Creek in the county of Cattaraugus, a public highway," to consider and report

complete, reported the same complete without amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

By unanimous consent,

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Submarine Telescope Company," and that said bill be recommitted to the committee on commerce and navigation to consider and report complete.

On motion of Mr. Lester,

The Senate proceeded to the further consideration of the report of the select committee on the bill entitled "An act in relation to the election of delegates to the convention of the people of this State."

Mr. Hard moved to lay said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Scovil
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons		10

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Sedgwick	Mr. Williams
		15

Debates being had, but without taking the question thereon,

Mr. Hard moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Chamberlain	Mr. Hard	Mr. Scovil
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven
		9

FOR THE NEGATIVE.

Mr. Beekman	Mr. Jones	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. J. B. Smith
Mr. Deyo	Mr. Porter	Mr. S. Smith
Mr. Johnson		

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Mr. President then put the question on agreeing to Mr. Clark's motion to amend the title of said bill as it was read yesterday, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Chamberlain	Mr. Hard	Mr. Scovil
Mr. Clark	Mr. Mitchell	Mr. Van Schoonhoven

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Jones	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. J. B. Smith
Mr. Deyo	Mr. Porter	Mr. S. Smith
Mr. Johnson		

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Mr. Putnam moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Clark	Mr. Hard	Mr. Scovil
Mr. Chamberlain	Mr. Lott	

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Jones	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. Sanford
Mr. Denniston	Mr. Mitchell	Mr. J. B. Smith
Mr. Deyo	Mr. Porter	Mr. S. Smith
Mr. Johnson		

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Mr. Jones moved that the question of agreeing with said committee

in their report, be made the special order for this evening at fifteen minutes past 7 o'clock.

Mr. Chamberlain moved to amend said motion, by substituting ten o'clock to-morrow morning.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Chamberlain	Mr. Hard	Mr. Scovil
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven

9

FOR THE NEGATIVE.

Mr. Beekman	Mr. Jones	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. Sanford
Mr. Denniston	Mr. Mitchell	Mr. J. B. Smith
Mr. Deyo	Mr. Porter	Mr. S. Smith
Mr. Johnson		

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Mr. President then put the question on agreeing to Mr. Jones' said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Porter	Mr. J. B. Smith
Mr. Beers	Mr. Sedgwick	Mr. S. Smith
Mr. Clark	Mr. Sanford	Mr. Talcott
Mr. Jones		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Mitchell
Mr. Chamberlain	Mr. Johnson	Mr. Putnam
Mr. Deyo	Mr. Lester	Mr. Scovil
Mr. Emmons	Mr. Lott	Mr. Van Schoonhoven

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Thereupon,

On motion of Mr. Jones,

Ordered, That said question of agreeing with said committee in their report, be made the special order for three o'clock this afternoon.

Then the Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

And a message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act in relation to the dissolution of common school districts."

A copy of certain resolutions was received from the Assembly for concurrence entitled "Concurrent resolutions on the subject of the militia," which was read and referred to the committee on the militia.

A bill was received from the Assembly for concurrence, entitled "An act to repeal chapter nineteen of the laws of eighteen hundred and forty-five, and to reduce the duty upon salt," which was read the first time, and by unanimous consent was also read a second time.

Mr. Sedgwick moved that said bill be referred to the committee on manufactures.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Beers
Mr. Deyo
Mr. Jones

Mr. Lester
Mr. Putnam
Mr. Sedgwick

Mr. Sanford
Mr. Talcott
Mr. Williams

10

FOR THE NEGATIVE.

Mr. Backus
Mr. Denniston
Mr. Johnson

Mr. Lott
Mr. Mitchell
Mr. Porter

Mr. J. B. Smith
Mr. S. Smith
Mr Van Schoonhoven

9

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act concerning the district attorney of the county of Oneida,' passed May 10, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorize certain officers of Livingston county to allow and audit certain town accounts," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act to regulate the expenditure of the highway tax in parts of Essex,

Hamilton and Warren counties," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Mr. Beekman, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act in relation to the support of the poor in the county of Wayne," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Deyo, from the committee on roads and bridges, to whom was referred the bill from the Assembly, entitled "An act to provide for building a bridge at Port Benjamin, in the town of Wawarsing," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Van Schoonhoven, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act to continue in force an act entitled 'An act to encourage the growth and manufacture of silk,' passed May 26, 1841," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

The report of the select committee on the bill entitled "An act in relation to the election of delegates to the convention of the people of this State," was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven
Mr. Hard	Mr. Sedgwick	5

FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. Porter
Mr. Beekman	Mr. Jones	Mr. J. B. Smith
Mr. Denniston	Mr. Lester	Mr. S. Smith
Mr. Deyo	Mr. Lott	Mr. Talcott
Mr. Emmons	Mr. Mitchell	Mr. Williams
		15

Mr. Beekman, from the select committee of eight, to whom was referred the bill entitled "An act relating to the temporary relief of the poor," to consider and report complete, reported the same without amendment, which was laid on the table.

The Senate then again, pursuant to order, resolved itself into a committee of the whole on the bill entitled "An act to abolish distress for rent, and for other purposes," and after some time spent thereon, Mr.

President resumed the chair, and Mr. Burnham, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act declaring Quaker Run Creek in the county of Cattaraugus, a public highway," which was ordered to a third reading.

On motion of Mr. Clark,

The bill from the Assembly, entitled "An act to provide for the appointment of commissioners to open and improve the Rock Island and De Peyster road, in the county of St. Lawrence," was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Porter asked for and obtained leave of absence for Mr. Hand for six days from last Monday.

On motion of Mr. Chamberlain,

The engrossed bill entitled "An act declaring Quaker Run Creek, in the county of Cattaraugus, a public highway," was read the third time, and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

Mr. J. B. Smith moved that the bill from the Assembly entitled "An act to provide for the construction of a railroad from New-York to Albany," be made the special order for to-morrow morning, immediately after the reports of committees, and be continued the special order at that hour every day until disposed of.

Mr. Sedgwick moved to amend said motion by substituting the several bills relating to private claims.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

Mr. Van Schoonhoven then moved to amend said motion by adding thereto the following, and that the bill from the Assembly authorizing the Schenectady and Troy Railroad to extend their road to Utica, be made the special order for Saturday morning next at nine o'clock.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

Mr. President put the question on agreeing to Mr. Smith's said motion, and it was decided in the affirmative.

Then the Senate adjourned to 9 o'clock to-morrow morning.

THURSDAY, 9 O'CLOCK, A. M., APRIL 16, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday having been read and approved,

Mr. Denniston presented the remonstrance of citizens of Suffolk county against the passage of the bill before the Senate in relation to the Long Island Railroad Company, which was read and laid on the table.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to punish seduction and adultery," reported in favor of the passage thereof, without amendment, which was by unanimous consent committed to the same committee of the whole, having in charge the bill relating to the same subject.

Mr. Lott, from the same committee, to whom was referred the petition of Alexis Ward and others, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize the appointment of a supreme court commissioner to reside at Albion, in the county of Orleans, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Putnam, from the committee on commerce and navigation, to whom was referred the bill entitled "An act to incorporate the Submarine Telescope Company," to consider and report complete, reported the same complete, with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to provide for the appointment of a supreme court commissioner to reside at Rensselaerville," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to regulate the expenditure of the highway tax in parts of Essex, Hamilton and Warren counties," reported in favor of the passage thereof, which was referred to a select committee to consist of the Senators attending the Senate from the Fourth Senate District, to consider and report complete.

Mr. Burnham, from the same committee, to whom was referred the petition of the president, directors and company of the Cohecton Bridge Company, for that purpose, asked for and obtained leave to report a bill entitled "An act to amend an act entitled 'An act to incorporate the Cohecton Bridge Company,' passed April 7, 1817," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. J. B. Smith, from the committee on grievances, to whom were

referred two several bills with the following titles, to wit: "An act for the preservation of game in Columbia county;" also "An act to amend an act entitled 'An act for the preservation of game in the county of Ulster,' passed May 10, 1845," reported in favor of the passage thereof severally, without amendment, which was agreed to by the Senate, and the bills severally ordered to a third reading.

Mr. Putnam, from the committee on commerce and navigation, to whom was referred the bill from the Assembly entitled "An act to incorporate the Ocean Steam Navigation Company," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole, and made the special order for Monday morning next, immediately after the reports of committees.

Mr. Barlow, from the committee on manufactures, to whom were referred five several bills of the following titles, to wit: "An act to incorporate the New-York Portable Gas Company;" also "An act to incorporate the Woolen Manufacturing Company of Greene;" also "An act to incorporate the Troy Vulcan Works;" also "An act to incorporate the Genesee Cotton Mills;" also "An act to incorporate the Troy Gas Light Company," to consider and report complete, reported the same severally complete, without amendment, which was laid on the table.

Mr. Barlow, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act to repeal chapter nineteen of the laws of eighteen hundred and forty-five, and to reduce the duty upon salt," reported in favor of the passage thereof, without amendment.

Mr. Johnson moved that the said bill be referred to the committee on finance.

On motion of Mr. Lott,

Ordered, That the whole subject be laid on the table.

Mr. Talcott, from the select committee, consisting of the Senators attending the Senate from the Fifth Senate district, to which was referred the bill from the Assembly entitled "An act for the relief of Azenath Mougins," to consider and report the same complete, reported the same complete with amendments, and changing the title thereof so as read as follows: "An act for the relief of Azenath Mougins," which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Beekman, from the minority of the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to authorize the Schenectady and Troy Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk River, to the city of Utica," made a written report thereon, which was referred to the same committee of the whole having in charge said bill.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 123.]

On motion of Mr. Hard,

Said bill was made the special order for Saturday morning next, at 11 o'clock.

Mr. Beekman asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act to incorporate the Utica and Schenectady Railroad Company,' passed April 29th, 1833," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

On motion of Mr. J. B. Smith,

The Senate proceeded to the further consideration of the report (complete) of the select committee on the bill from the Assembly entitled "An act to prevent fires along the track of the Long Island railroad."

Said report was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. Barlow,

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of John O. Frazee, Julius C. Foster and Benjamin Frazee," and after some time spent thereon, Mr. President resumed the chair, and Mr. Van Schoonhoven, from said committee, reported that they had gone through the bill, and had directed him to report the same to the Senate, without amendment.

The first section of said bill, as reported, was then read, in the words following, to wit:

SECTION 1. The Canal Commissioners are hereby authorized and directed to settle with John O. Frazee, Julius C. Foster and Benjamin Frazee, for the the work done on sections one hundred and twenty-three and one hundred and twenty-four of the Erie canal enlargement, being the new line of said canal running through the village of Rome, according to the terms of their contracts for constructing said sections of the canal, and the Commissioners of the Canal Fund shall pay them such sum of money as shall be found due to them on their said contracts, together with interest from the time the State made use of said new canal; the amount that may be found due to be paid out of such fund as shall be hereafter appropriated for the payment of arrearages to canal contractors.

Mr. Johnson moved to amend said section by striking out the words "together with interest from the time the State made use of said new canal," after the word "contracts" in the ninth line thereof.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Denniston

Mr. Folsom

Mr. Johnson

[SENATE JOURNAL.]

Mmm

Mr. Lester	Mr. Porter	Mr. Wheeler	6
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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick	
Mr. Barlow	Mr. Jones	Mr. Sanford	
Mr. Burnham	Mr. Lott	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott	
Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Emmons			16

Mr. Johnson then moved to amend said section by inserting after the word "canal" in the 7th line thereof, the words following to wit: "except upon the sum of \$6,000, for which the said John O. Frazee, Julius C. Foster and Benjamin Frazee, have received interest or hold a bond of certain citizens of the village of Rome, for the payment of such interest."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Folsom	Mr. Porter	
Mr. Deyo	Mr. Johnson	Mr. Talcott	
Mr. Emmons	Mr. Lester	Mr. Wheeler	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Clark	Mr. Putnam	
Mr. Barlow	Mr. Hard	Mr. Sedgwick	
Mr. Beers	Mr. Jones	Mr. Sanford	
Mr. Burnham	Mr. Lott	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Mitchell		14

The report of said committee was then agreed to by the Senate and the bill ordered to a third reading.

Mr. Jones moved that the present and all intervening orders of business be laid on the table, for the purpose of offering the following resolution:

Resolved, That when the Senate adjourns this morning, it will adjourn to meet this afternoon at 4 o'clock, for the purpose of considering the pilot resolutions, and will meet each day thereafter at the same hour until the resolutions are disposed of.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Jones	Mr. Sedgwick
Mr. Clark	Mr. Lester	Mr. Sanford
Mr. Deyo	Mr. Porter	Mr. Wheeler

9

FOR THE NEGATIVE.

Mr. Backus	Mr. Deaniston	Mr. Mitchell
Mr. Barlow	Mr. Emmons	Mr. Putnam
Mr. Burnham	Mr. Folsom	Mr. Talcott
Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven

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Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit: "An act to incorporate the Sub-Marine Telescope Company;" also "An act to amend an act entitled 'An act to incorporate the Cochecton Bridge Company,' passed April 7, 1817;" also "An act to authorize the appointment of a supreme court commissioner to reside at Albion, in the county of Orleans, and for other purposes," which were severally ordered to a third reading.

A bill was received from the Assembly for concurrence entitled "An act for the preservation of fish in the Otisco Lake," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Seventh Senate District.

On motion of Mr. Clark,

The special orders of the day were suspended, and

On motion of Mr. Sedgwick,

The Senate proceeded to the further consideration of the report of the committee on manufactures, on the bill from the Assembly entitled "An act to repeal chapter nineteen of the laws of eighteen hundred and forty-five, and to reduce the duty upon salt."

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Clark	Mr. Lester
Mr. Beekman	Mr. Emmons	Mr. Putnam
Mr. Beers	Mr. Folsom	Mr. Sedgwick
Mr. Burnham	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Jones	Mr. Wheeler

15

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Mitchell	
Mr. Denniston	Mr. Lott	Mr. Porter	6

Thereupon,

Said bill was ordered to a third reading.

On motion of Mr. Sedgwick,

Said bill was then read the third time.

Mr. Putnam moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter	
Mr. Denniston	Mr. Hard	Mr. Putnam	
Mr. Deyo	Mr. Lott	Mr. Van Schoonhoven	9

FOR THE NEGATIVE.

Mr. Beekman	Mr. Clark	Mr. Mitchell	
Mr. Beers	Mr. Folsom	Mr. Sedgwick	
Mr. Burnham	Mr. Jones	Mr. Sanford	
Mr. Chamberlain	Mr. Lester	Mr. Wheeler	12

Debates being had, but without taking the question on the final passage of said bill,

Mr. Putnam moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter	
Mr. Beekman	Mr. Hard	Mr. Putnam	
Mr. Chamberlain	Mr. Lott	Mr. Talcott	
Mr. Denniston	Mr. Mitchell	Mr. Van Schoonhoven	
Mr. Deyo			13

FOR THE NEGATIVE.

Mr. Beers	Mr. Jones	Mr. Sedgwick	
Mr. Clark	Mr. Lester	Mr. Sanford	
Mr. Folsom			7

Then the Senate adjourned to 9 o'clock to-morrow morning.

FRIDAY, 9 O'CLOCK, A. M., APRIL 17, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague,

The minutes of yesterday having been read and approved,

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of Isaac Jones, a justice of the peace," with the amendments of the Senate thereto, and changing the title thereto so as to read, "An act to confirm the official acts of certain justices of the peace," together with a message from the Assembly informing that they had concurred in all the amendments of the Senate to said bill, except the sixth, and had changed the title as aforesaid, reported in favor of agreeing to the amendment of the Assembly to the sixth amendment of the Senate, with the following amendment thereto, that is to say, by striking out the whole of the fourth section of the original bill, which was agreed to by the Senate.

Thereupon,

Ordered, That the Clerk return said bill to the Assembly, with a message accordingly.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize the recording of wills of real estate and of exemplifications of judgment records and decrees in partition suits, and for other purposes," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom were referred two several bills from the Assembly, with the following titles, to wit: "An act in relation to writs of error;" also "An act to confirm certain official acts of the commissioners of highways of the town of Pembroke," reported against the passage of said bills respectively, which were severally committed to a committee of the whole.

Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to annex the town of Shawangunk, to the town of Plattekill, in the county of Ulster," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Deyo,

Ordered, That said bill be read the third time at 11 o'clock this day

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to authorize certain officers of Livingston county to allow and audit certain town accounts," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Jones,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the act enti-

ted 'An act relating to the Albany Basin,' passed May 16, 1837," and that the same be referred to a select committee, to consider and report complete, and that said committee amend the bill so as to authorize the persons interested in the excavation of said basin to make the excavation, and draw upon the common council for the amount.

Thereupon,

Ordered, That Mr. Jones, Mr. Porter and Mr. Lester, be such committee.

Mr. Jones, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to annex the towns of Eagle and Pike and part of Portage, to the county of Wyoming,' passed April 1, 1846," reported in favor of the passage thereof, with amendments, which was recommended to the same committee, to consider and report complete.

Mr. Mitchell, from the select committee consisting of the Senators attending the Senate from the Fourth Senate District, to whom was referred the bill from the Assembly entitled "An act to regulate the expenditure of the highway tax in parts of Essex, Hamilton and Warren counties," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent,

Mr. Hard presented a resolution of the town meeting of the town of Barre, Orleans county, in favor of the abolition of the office of county superintendent of common schools, which was read and referred to the committee on literature.

Mr. Backus offered the following resolution :

Resolved, That the special order relating to the bills connected with the anti-rent difficulties, shall not hereafter have precedence over other special orders.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

Two several bills were received from the Assembly for concurrence entitled "An act to change the name of Charles Miller to Charles Miller Sunkenberg;" also "An act to prevent horse racing and trotting matches on any of the several roads, streets or avenues in the city or county of New-York," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled "An act requiring the land agent in the fifteenth township of the town of Norwich, Chenango county, to give bond for the faithful discharge of his duty," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act relative to a bridge across Roeliff Jansen's creek, in the county of Columbia," which was read the first time, and by unanimous con-

sent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to provide for the sale of lands for taxes hereafter assessed in the counties where such lands are situated," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Clinton State Prison," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on State Prisons.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of certain owners of land in Lockport, in the county of Niagara," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled "An act to provide for the education of the children of the Onondaga Indians in the county of Onondaga, and the children of the other Indians residing in this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled "An act for the preservation of eels in the town of Southampton, in the county of Suffolk," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Second Senate District, to consider and report complete.

The Senate then, pursuant to order, resolved itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany," and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed two several bills with the following titles, to wit: "An act for the relief of Briggs Thomas and Eben Worden;" also "An act declaring Quaker Run Creek in the county of Cattaraugus, a public highway," severally without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

A message was received from the Governor, informing that he had approved and signed said bills respectively.

Mr. Deyo called for the third reading of the bill from the Assembly entitled "An act to annex a part of the town of Shawangunk to the town of Plattekill, in the county of Ulster," pursuant to order.

Mr. Clark moved that the third reading of said bill be postponed till to-morrow morning.

Mr. President put the question on agreeing to the said motion, and it was decided in the negative.

Said bill was then read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Denniston	Mr. Jones	Mr. Talcott
Mr. Deyo	Mr. Lester	Mr. Wheeler
Mr. Emmons	Mr. Porter	Mr. Williams
Mr. Folsom	Mr. Putnam	

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FOR THE NEGATIVE.

Mr. Clark 1

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

On motion of Mr. Van Schoonhoven,

The engrossed bill entitled "An act to incorporate the Submarine Telescope Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams
Mr. Emmons		

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

Mr. Talcott moved that the engrossed bill entitled "An act in relation to the State Lunatic Asylum," be now read the third time.

Mr. Johnson moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Johnson

1

FOR THE NEGATIVE.

Mr. Backus
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston

Mr. Emmons
Mr. Folsom
Mr. Hard
Mr. Jones
Mr. Lester
Mr. Lott
Mr. Mitchell

Mr. Porter
Mr. Putnam
Mr. Sedgwick
Mr. J. B. Smith
Mr. Talcott
Mr. Wheeler

20

Mr. President put the question on agreeing to the first motion, and it was decided in the affirmative.

Said bill was then read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Emmons

Mr. Folsom
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Sedgwick

Mr. Sanford
Mr. J. B. Smith
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

18

FOR THE NEGATIVE.

Mr. Beers

Mr. Lester

Mr. Porter

3

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

By unanimous consent,

Mr. Jones, from the select committee, to whom was referred the bill entitled "An act to amend an act entitled 'An act relating to the Albany basin,' passed May 16, 1837," to consider and report complete, reported the same with amendments, and changing the title so as to read as follows: "An act in relation to the Albany basin," which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Emmons,

Resolved, That the Assembly bill entitled "An act to authorize the

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establishment of a house of refuge for juvenile delinquents in western New-York," be taken from the general orders, and referred to a select committee of one from each Senate District, to report complete.

Mr. President announced, and thereupon,

Ordered, That Mr. Emmons, Mr. Sanford, Mr. J. B. Smith, Mr. Johnson, Mr. Clark, Mr. Barlow, Mr. Chamberlain and Mr. Lester, be such committee.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Peter J. Wagner," and that said bill be engrossed for a third reading.

Mr. Van Schoonhoven offered the following resolution, which was referred to the committee on public printing :

Resolved, That twice the usual number of copies of the communications of Judges Parker and Edmonds, of the third and first circuits, in answer to resolutions of the Senate relative to the trials and sentences of certain convicts now in prison on account of offences against the laws of this State, growing out of the relation of landlord and tenant, be printed for the use of the Legislature.

On motion of Mr. Williams,

Ordered, That the bill from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company," be the special order for to-morrow at 12 o'clock, M.

Then the Senate adjourned to 9 o'clock to-morrow morning.

SATURDAY, 9 O'CLOCK, A. M., APRIL 18, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday having been read and approved,

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act for the relief of Cornelia L. Lillie and Eben A. Hall," reported in writing against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 125.]

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to authorize the Canal

Commissioners to commute with the town of Rotterdam, in relation to a bridge over the Erie canal," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Johnson, from the committee on claims, to which was referred the bill from the Assembly entitled "An act for the relief of William A. Mills and Hezekiah Johnson," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Johnson, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the relief of Seymour N. Marsh," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. J. B. Smith, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to prevent horse racing and trotting matches on any of the several roads, streets or avenues in the city and county of New-York," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act for the relief of Thomas Beach Clark, and to authorize the collection of taxes in the town of Williamsburgh," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Wheeler, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Rozel and Charles Blackman, William Smith, Morrison Rollo, and Wybert and Sanford," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Wheeler, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the relief of Merritt Clark, Richard Clark, Ambrose Clark and George D. Wheeler, contractors on section number five of the Genesee Valley Canal," reported in writing against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 124.]

Mr. Folsom, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to provide for the education of the children of the Onondaga Indians in the county of Onondaga, and the children of the other Indians residing in this State," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize the trustees of the school district at the village of Williamsville, in the town of Amherst

and county of Erie, to make separate rate bills for the higher and primary departments of the schools kept in said district," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the select committee consisting of the Senators attending the Senate from the Seventh Senate District, to whom was referred the bill from the Assembly entitled "An act for the preservation of fish in the Otisco Lake," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the committee on public printing, to whom was yesterday referred the resolution offered by Mr. Van Schoonhoven, to print twice the usual number of copies of the communications of Judges Parker and Edmonds, of the third and first circuits, relative to the trial and sentences of certain convicts now in the State prison, reported against said resolution, and in favor of printing the usual number thereof only.

Mr. Beers moved to lay said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were equally divided as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Lester	Mr. J. B. Smith	
Mr. Folsom	Mr. Lott	Mr. Talcott	
Mr. Johnson	Mr. Porter	Mr. Wheeler	
Mr. Jones	Mr. Sanford		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick	
Mr. Beekman	Mr. Hard	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Putnam	Mr. Williams	
Mr. Chamberlain	Mr. Scovil		11

Debates being had but without taking the question thereon,

Mr. Johnson moved to lay said report on the table till the committee on the judiciary shall have made their report on that subject.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Burnham	Mr. Deyo
Mr. Beers	Mr. Denniston	Mr. Johnson

Mr. Jones	Mr. Sedgwick	Mr. Talcott	
Mr. Lester	Mr. Sanford	Mr. Wheeler	
Mr. Porter	Mr. J. B. Smith		14

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hard	Mr. Scovil	
Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Emmons			7

By unanimous consent,

Mr. Clark moved that 750 extra copies of the report of Mr. Lott, from the committee on the judiciary, upon the bill from the Assembly for the relief of C. L. Lillie and E. A. Hall, be printed, which motion was referred to the committee on public printing.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit: "An act in relation to the Albany Basin;" also "An act for the relief of Peter J. Wagner," which were severally ordered to a third reading.

On motion of Mr. Jones,

Ordered, That the Senate do now proceed to the third reading of bills.

The engrossed bill entitled "An act in relation to the Albany Basin," was read the third time and laid on the table.

On motion of Mr. Barlow,

Ordered, That the engrossed bill entitled "An act to amend an act entitled 'An act in relation to the appointment of superintendent of the poor in the county of Westchester, and for other purposes,' passed May 6, 1845," be recommitted to the committee on poor laws.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to incorporate the village of Ebenezer, in the county of Erie," and said bill was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick	
Mr. Barlow	Mr. Folsom	Mr. Sanford	
Mr. Beekman	Mr. Hard	Mr. J. B. Smith	
Mr. Beers	Mr. Jones	Mr. Talcott	
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Porter	Mr. Wheeler	
Mr. Clark	Mr. Putnam	Mr. Williams	
Mr. Deyo	Mr. Scovil		23

FOR THE NEGATIVE.

Mr. Denniston	Mr. Johnson	Mr. Lester	3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The Senate then proceeded to the further consideration of the question on the final passage of the bill from the Assembly entitled "An act to repeal chapter nineteen of the laws of eighteen hundred and forty-five, and to reduce the duty upon salt."

Debates being had, but without taking the question thereon,

Mr. Scovil moved to lay said question on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson	Mr. Porter
Mr. Denniston	Mr. Lott	Mr. Scovil
Mr. Deyo		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Sedgwick	Mr. Williams

15

Mr. Johnson moved to postpone said question until Monday next, and that said question be taken on that day at 1 o'clock, P. M., without debate.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

Mr. Van Schoonhoven moved that the bills from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company;" also "An act to authorize the Troy and Schenectady Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk River, to the city of Utica;" and also "An act to incorporate the Catskill and Schenectady Railroad Company," be made the special order for Monday next, at 1 o'clock, P. M.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hard	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom	Mr. Van Schoonhoven	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Denniston	Mr. Putnam
Mr. Barlow	Mr. Deyo	Mr. Scovil
Mr. Beers	Mr. Jones	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Porter	Mr. Talcott
Mr. Clark		

16

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the election of delegates to the convention of the people of this State," which was ordered to a third reading.

Mr. Lester moved that said bill be now read the third time.

Mr. Clark called for the execution of the special orders of the day.

Mr. Lester moved to lay said special orders on the table.

Mr. President put the question on agreeing to said last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. J. B. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Wheeler
Mr. Johnson	Mr. Sanford	Mr. Williams

15

FOR THE NEGATIVE.

Mr. Backus	Mr. Clark	Mr. Putnam
Mr. Barlow	Mr. Emmons	Mr. Scovil
Mr. Burnham	Mr. Lott	

8

Mr. Putnam moved to lay Mr. Lester's motion on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Burnham	Mr. Hard	Mr. Scovil
Mr. Clark		

7

FOR THE NEGATIVE.

Mr. Barlow	Mr. Beers	Mr. Denniston
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Mr. Deyo	Mr. Lott	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Van Schoonhoven
Mr. Johnson	Mr. Sedgwick	Mr. Wheeler
Mr. Jones	Mr. Sanford	Mr. Williams
Mr. Lester	Mr. J. B. Smith	16

Mr. President then put the question on agreeing to Mr. Lester's said motion, and it was decided in the affirmative.

Said bill was then read the third time.

Debates being had but without taking the question thereon.

Mr. Hard moved to lay said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Emmons	Mr. Putnam
Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven
Mr. Clark		7

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Denniston	Mr. Jones	Mr. Talcott
Mr. Deyo	Mr. Lester	Mr. Wheeler
Mr. Folsom	Mr. Porter	Mr. Williams
		12

Mr. Jones asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to the criminal courts in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Hard moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Hard	Mr. Putnam
Mr. Emmons	Mr. Van Schoonhoven	5

FOR THE NEGATIVE.

Mr. Beers	Mr. Denniston	Mr. Folsom
Mr. Burnham	Mr. Deyo	Mr. Johnson

Mr. Jones	Mr. Sedgwick	Mr. Wheeler	
Mr. Lester	Mr. Sanford	Mr. Williams	
Mr. Porter	Mr. Talcott		14

Further debates being had, but without taking the question on the final passage of said bill,

Mr. Clark moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Hard	Mr. Putnam	
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven	
Mr. Emmons			7

FOR THE NEGATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford	
Mr. Denniston	Mr. Lester	Mr. J. B. Smith	
Mr. Deyo	Mr. Porter	Mr. Talcott	
Mr. Folsom	Mr. Sedgwick	Mr. Williams	
Mr. Johnson			14

After further debates thereon, Mr. Clark moved to lay said question on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Lott			4

FOR THE NEGATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford	
Mr. Denniston	Mr. Lester	Mr. J. B. Smith	
Mr. Deyo	Mr. Porter	Mr. Talcott	
Mr. Folsom	Mr. Sedgwick	Mr. Williams	
Mr. Johnson			13

After further debates thereon,

Mr. Lester moved to suspend the rules, and that the present and all intervening orders of business be laid on the table, for the purpose of enabling him to offer a resolution.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford
Mr. Denniston	Mr. Lester	Mr. J. B. Smith
Mr. Deyo	Mr. Lott	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Williams
Mr. Johnson	Mr. Sedgwick	
		14

FOR THE NEGATIVE.

Mr. Clark	Mr. Hard	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	5

Mr. Lester then offered the following resolution,

Resolved, That the present and all intervening orders of business be laid upon the table, and that the question on the final passage of the bill entitled "An act in relation to the election of delegates to the convention of the people of this State," be taken at fifteen minutes before five o'clock to day ; and if a motion shall be made to reconsider the vote on such question, that the question on such motion shall be taken immediately, without debate.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford
Mr. Denniston	Mr. Lester	Mr. J. B. Smith
Mr. Deyo	Mr. Lott	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Williams
Mr. Johnson	Mr. Sedgwick	
		14

FOR THE NEGATIVE.

Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven
Mr. Hard		4

After further debate on the said bill, Mr. Lester moved a call of the Senate.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford	
Mr. Denniston	Mr. Lester	Mr. J. B. Smith	
Mr. Deyo	Mr. Porter	Mr. Talcott	
Mr. Johnson	Mr. Sedgwick	Mr. Williams	12

FOR THE NEGATIVE.

Mr. Lott			1
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On a call of the Senate, the following Senators answered to their names :

Mr. Beers	Mr. Johnson	Mr. Sedgwick
Mr. Denniston	Mr. Jones	Mr. Sanford
Mr. Deyo	Mr. Lester	Mr. J. B. Smith
Mr. Emmons	Mr. Lott	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Williams

On motion of Mr. Lester,
The doors were closed, and the Sergeant at arms was directed to bring in the absent Senators.

Mr. Clark and Mr. Van Schoonhoven having appeared,

On motion of Mr. Lester,

All further proceedings on said call were suspended.

Mr. President then put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford	
Mr. Denniston	Mr. Lester	Mr. J. B. Smith	
Mr. Deyo	Mr. Lott	Mr. Talcott	
Mr. Folsom	Mr. Porter	Mr. Wheeler	
Mr. Johnson	Mr. Sedgwick	Mr. Williams	15

FOR THE NEGATIVE.

Mr. Clark	Mr. Hard	Mr. Van Schoonhoven	
Mr. Emmons			4

Pending such division, Mr. Clark asked to be excused from voting thereon.

Mr. Lott moved that Mr. Clark be excused from voting.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

Mr. Lester moved to reconsider the vote just taken on the final passage of said bill.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

On motion of Mr. Jones,

The several concurrent resolutions relative to the pilots were made the special order for Wednesday morning next, immediately after the presentation of petitions.

A message was received from the Assembly, informing that they had passed the bill entitled "An act for the relief of Edwin B. Strange, an alien," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Two several bills were received from the Assembly for concurrence entitled "An act in relation to documentary evidence;" also "An act to regulate proceedings in personal actions in case of the death of a sole plaintiff after issue joined," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Johnson,

Resolved, That the petition of Daniel Knight, together with the accompanying papers, be referred to the Canal Commissioners for their report.

On motion of Mr. Lott,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors," and that it be referred back to the committee on the judiciary, to report complete.

On motion of Mr. Clark,

Resolved, That the bill from the Assembly entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice in the village of Saratoga Springs,' passed May 14, 1845," be recommended to the committee on the incorporation of cities and villages.

Mr. Van Schoonhoven moved that the bill from the Assembly entitled 'An act to authorize the Schenectady and Troy Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk River to the city of Utica,' be made the special order for Tuesday next, at 11 o'clock, A. M.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Emmons
Mr. Folsom
Mr. Hard
Mr. Lester

Mr. Lott
Mr. Putnam
Mr. Sedgwick
Mr. J. B. Smith

Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

12

FOR THE NEGATIVE.

Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Johnson
Mr. Jones

Mr. Porter
Mr. Sanford

7

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act for the relief of Edwin B. Strange, an alien."

On motion of Mr. Williams,

Ordered, That the bill from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company," be the special order of the day for Thursday next, at 12 o'clock.

The Senate adjourned to 9 o'clock on Monday morning.

MONDAY, 9 O'CLOCK, A. M., APRIL 20, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Preble.

The minutes of Saturday having been read and approved,

Mr. Spencer presented the petition of inhabitants of the town of Champion, for a loan, which was read and referred to the committee on finance.

Mr. Spencer presented the petition of inhabitants of the county of Jefferson, that the highway taxes assessed upon banks be distributed in the county generally for the support of bridges, which was read and referred to the committee on roads and bridges.

Mr. Barlow presented the petition of citizens of Buffalo, in favor of the passage of the law to prevent frauds in inspection in the county of Erie, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lott presented the petition of citizens of Flatbush, to lay out a two rods road in said town, which was read and referred to the committee on roads and bridges.

Mr. Folsom presented the petition of Zebedee Cook, William B. Allen and others, to be incorporated as the Unitarian Association of the State of New-York, which was read and referred to the committee on charitable and religious societies.

Mr. Hard presented the petition of stockholders of the Farmers' Bank of Orleans, for relief, which was read and referred to the committee on banks and insurance companies.

Mr. Deyo presented the remonstrance of sundry inhabitants of the

town of Esopus, against any change of the name of said town in the county of Ulster, which was read and referred to the committee on the division of towns and counties.

Mr. Deyo presented the petition of inhabitants of the town of Marlborough, in the county of Ulster, praying for the repeal of the law passed in 1845, for the preservation of fish in the North River, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made suable in justices' courts, which was read and laid on the table.

Mr. Clark presented two several remonstrances of inhabitants of Schaghticoke against the passage of a law authorizing the laying out a turnpike road in connection with the Phoenix Bridge, which were read and referred to the committee of the whole having the bill in charge to which they relate.

On motion of Mr. Van Schoonhoven,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Phoenix Bridge Company,' passed April 17, 1830," and that the same be referred to a select committee to consider and report complete.

The President announced, and thereupon,

Ordered, That Mr. Van Schoonhoven, Mr. Clark and Mr. Backus, be such committee.

Mr. Backus, from the committee on State prisons, to whom was referred the bill from the Assembly, entitled "An act in relation to the Clinton State Prison," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Sedgwick, from the committee on public printing, to whom was referred the motion to print 750 extra copies of the report Mr. of Lott, from the committee on the judiciary, on the bill from the Assembly for the relief of C. L. Lillie and E. A. Hall, reported in favor of said motion, which was agreed to by the Senate.

Thereupon,

Ordered, That 750 extra copies of said report be printed.

[See Senate Document No. 125.]

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of William Buell," reported in writing against the passage of said bill, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 126.]

Mr. J. B. Smith, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to change the

name of Charles Miller to Charles Miller Sunckenberg," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Clark, from the committee on the militia, to whom were referred certain resolutions from the Assembly entitled "Concurrent resolutions on the subject of the militia," reported in favor of the passage thereof without amendment.

Said resolutions were then read and laid on the table.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act in relation to documentary evidence," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. J. B. Smith, from the select committee, consisting of the Senators attending the Senate from the Second Senate district, to whom was referred the bill entitled "An act to divide the town of Westchester, in the county of Westchester," to consider and report complete, reported the same complete, without amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Deyo, from the same committee, to whom was referred the bill from the Assembly entitled "An act for the preservation of eels in the town of Southampton, in the county of Suffolk," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent, on motion of Mr. Scovil,

Resolved, That Senate bill No. 152, in relation to the tolls on the canals, be made the special order for Wednesday next, at 10 o'clock

On motion of Mr. Hard,

Ordered, That the present and all intervening orders of business be laid on the table, and that the Senate proceed to the third reading of such bills as will not lead to debate.

The bill from the Assembly entitled "An act to incorporate the Herman's Brothers Benevolent Society in the city of New-York," was read the third time, and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Scovil	Mr. Wheeler

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FOR THE NEGATIVE.

Mr. Lester

1

The bill from the Assembly entitled "An act for the incorporation of the New-York Hebrew Assistance Society, for the relief of widows and orphans," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Scovil	Mr. Wheeler
		24

FOR THE NEGATIVE.

Mr. Lester

1

The bill from the Assembly entitled "An act to amend the act entitled 'An act to incorporate the Eddyville Bridge Company,' passed April 22, 1844," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Scovil	Mr. Wheeler
Mr. Folsom	Mr. Sedgwick	
		23

The two several bills from the Assembly with the following titles, to wit: "An act to equalize the expenses of supporting all bridges over the Black River, which are now or may hereafter be supported at the joint expense of the towns of Pamela and Watertown in the county of Jefferson;" also "An act to authorize a tax to be levied in the town of Canton, in the county of St. Lawrence, to build a town house," were severally read the third time and passed.

The bill from the Assembly entitled "An act to amend the act passed May, 1841, authorizing colleges and other incorporated literary institutions to hold real and personal estate in trust, so as to allow the same to accumulate for certain specific purposes," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. J. B. Smith
Mr. Deyo	Mr. Putnam	Mr. Spencer
Mr. Emmons	Mr. Scovil	Mr. Williams
Mr. Folsom	Mr. Sedgwick	

14

FOR THE NEGATIVE.

Mr. Clark	Mr. Porter	Mr. S. Smith
Mr. Johnson		

4

Thereupon,

Resolved, That the said bill do pass.

Four several bills from the Assembly with the following titles, to wit : "An act to authorize the first judge of the county of Erie to appoint and hold special terms of the court of common pleas of said county ;" also "An act to annex lot number eight in the town of Virgil, in the county of Cortland, to the town of Cortlandville in said county ;" also "An act authorizing the supervisors of the county of Kings to create a loan and provide further accommodations for the confinement of prisoners ;" also "An act to authorize a tax to be levied in the town of Constable to build or purchase a town house," were severally read the third time and passed.

The bill from the Assembly entitled "An act to incorporate the Shamrock Benevolent Society of the city of Albany," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	Mr. Williams

24

FOR THE NEGATIVE.

Mr. Johnson	
-------------	--

1

Ordered, That the Clerk return the last eleven mentioned bills to the Assembly, with a message informing that the Senate have passed the same severally, without amendment.

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Ppp

The bill from the Assembly entitled "An act to incorporate the Niagara Falls International Bridge Company," was read the third time and laid on the table.

The bill from the Assembly entitled "An act to incorporate the University of Rochester," was read the third time and laid on the table.

The bill from the Assembly entitled "An act to incorporate the Niagara Falls Ferry Association," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beers,	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams

24

The bill from the Assembly entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act to incorporate the Union Lyceum of Lyons," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Van Schoonhoven
Mr. Deyo	Mr. Scovil	Mr. Wheeler
Mr. Emmons		

25

The bill from the Assembly entitled "An act in relation to the office of district attorney of the county of Schoharie," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same with the amendments therewith, respectively delivered.

Two several engrossed bills with the following titles, to wit: "An act to defray the expenses incurred in the apprehension of certain criminals;" also "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road, from Salina in the county of

Onondaga, to Central Square in the county of Oswego," were severally read the third time and laid on the table.

The engrossed bill entitled "An act to legalize and make valid certain conveyances and trusts for the community of True Inspiration," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Putnam	Mr. Spencer
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Eminons	Mr. Sedgwick	Mr. Williams
Mr. Folsom		

16

FOR THE NEGATIVE.

Mr. Denniston	Mr. Johnson	Mr. Porter
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3

Thereupon,

Resolved, That the bill do pass.

The engrossed bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Van Schoonhoven
Mr. Deyo	Mr. Porter	Mr. Wheeler
Mr. Emmons	Mr. Putnam	Mr. Williams
Mr. Folsom	Mr. Scovil	

23

The engrossed bill entitled 'An act to confirm the title of certain real estate in Lucy Buckner, the widow of James Buckner, late of the county of Montgomery, an alien deceased," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Beers	Mr. Clark
Mr. Barlow	Mr. Burnham	Mr. Denniston

Mr. Deyo	Mr. Lott	Mr. J. B. Smith
Mr. Emmons	Mr. Porter	Mr. S. Smith
Mr. Folsom	Mr. Putnam	Mr. Spencer
Mr. Hard	Mr. Scovil	Mr. Talcott
Mr. Johnson	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Jones	Mr. Sanford	Mr. Wheeler
Mr. Lester		25

The engrossed bill entitled "An act to revive and continue the New-York Typographical Society," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Johnson	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Van Schoonhoven
		24

The engrossed bill entitled "An act to incorporate the Rondout Bridge Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Williams,
Mr. Emmons	Mr. Sedgwick	23

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	2
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The engrossed bill entitled "An act to amend an act entitled 'An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson river, and for other purposes,' passed April 12, 1837," and to amend an act entitled

"An act creating a public fund or stock in the city of New-York, to be called the Croton water stock, and in relation to the sinking fund of said city, passed May 13, 1845," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Scovil	

23

The engrossed bill entitled "An act to incorporate the German Washington Society of the city and county of New-York," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Spencer
Mr. Deyo	Mr. Putnam	Mr. Talcott
Mr. Emmons	Mr. Scovil	Mr. Williams
Mr. Folsom		

22

The engrossed bill entitled "An act to amend an act entitled 'An act incorporating the Susquehannah Bridge Company of the village of Binghamton,'" was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Johnson	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler

24

The engrossed bill entitled "An act authorizing the President, Directors and Company of the Cochection Bridge Company to establish a ferry across the Delaware River," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	

23

The engrossed bill entitled "An act in addition to an act entitled 'An act to amend an act entitled an act to reduce several laws relating particularly to the city of New-York into one act,'" was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Emmons	Mr. Putnam	Mr. Williams
Mr. Folsom	Mr. Scovil	

23

The engrossed bill entitled "An act to change the name of the Second Associate Reformed Church in the city of New-York," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Williams
Mr. Folsom	Mr. Sedgwick	

23

FOR THE NEGATIVE.

Mr. Lester

1

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Lackawack and Neversink Turnpike Company,' passed May 7, 1844," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Williams
Mr. Eminons	Mr. Sedgwick	

23

The engrossed bill entitled "An act for the relief of Westfall May and others," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lester	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom		

25

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Cochection Bridge Company,' passed April 7, 1817," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. Hard
Mr. Barlow	Mr. Denniston	Mr. Johnson
Mr. Beers	Mr. Deyo	Mr. Jones
Mr. Burnham	Mr. Eminons	Mr. Lott
Mr. Chamberlain	Mr. Folsom	Mr. Porter

Mr. Putnam
Mr. Scovil
Mr. Sedgwick
Mr. Sanford

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott

Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

26

Twelve several engrossed bills with the following titles, to wit: "An act authorizing a tax upon the town of Wilna, Jefferson county;" also "An act for the relief of the German Horse Guards of the city of New-York;" also "An act regulating the speed of steamboats whilst passing certain villages on the Hudson river;" also "An act to build and repair two certain roads in the towns of Moriah and Elizabethtown, in the county of Essex;" also "An act to provide for the building of a town hall in the town of Mexico;" also "An act authorizing the towns of Martineburgh and Greig, to construct a bridge across the Black river;" also "An act to amend an act concerning attachments against absconding, concealed and non-resident debtors;" also "An act relating to the dockets of judgments in the office of the clerk of the city and county of New-York;" also "An act for the cancelment of decrees made by surrogates;" also "An act for the relief of Silas Marsh, Alexander Liddle and Brittain T. Head, late trustees of school district number eight in the town of Duaneburgh;" also "An act in relation to discoveries at law, the taking of testimony of witnesses out of this State, bail in error and suits against foreign corporations;" also "An act to authorize the appointment of a supreme court commissioner to reside at Albion, in the county of Orleans, and for other purposes," were severally read the third time and passed.

Ordered, That the Clerk deliver the last twenty six mentioned bills to the Assembly, and request their concurrence in the same respectively.

The engrossed bill entitled "An act for the relief of John Ferris, Thomas Marvin and Charles R. Hopper" was read the third time and laid on the table.

The engrossed bill entitled "An act to incorporate the Homœopathic College of western New-York," was read the third time and lost: two-thirds of all the members elected to the Senate not voting in favor of the passage thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Emmons

Mr. Folsom
Mr. Johnson
Mr. Porter
Mr. Scovil
Mr. Sedgwick
Mr. Sanford

Mr. J. B. Smith
Mr. S. Smith
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

18

FOR THE NEGATIVE.

Mr. Clark
Mr. Denniston

Mr. Jones
Mr. Lester

Mr. Spencer

5

The bill from the Assembly entitled "An act to incorporate the Fort Hill Cemetery Association," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	Mr. Williams
Mr. Emmons		

25

The bill from the Assembly entitled "An act to incorporate the village of Cold Spring," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Van Schoonhoven
Mr. Deyo	Mr. Scovil	Mr. Wheeler
Mr. Emmons		

25

Two several bills from the Assembly with the following titles, to wit: "An act to amend the act to provide for paying the debts of insolvent Safety Fund Banks;" also "An act authorizing the removal of indictments from the recorder's court of the city of Utica to the court of oyer and terminer, and for other purposes," with the engrossed amendments thereto respectively, were severally read the third time and passed.

Ordered, That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith respectively delivered.

The hour of 1 o'clock, P. M. having arrived, Mr. President, pursuant to special order, put the question on the final passage of the bill from the Assembly entitled "An act to repeal chapter nineteen of the laws of eighteen hundred and forty-five, and to reduce the duty upon salt," and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lester	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
		18

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Johnson	Mr. Scovil
Mr. Denniston	Mr. Lott	Mr. J. B. Smith
Mr. Deyo	Mr. Porter	
		8

Thereupon,

Resolved, That the bill do pass.

Five several bills from the Assembly with the following titles, to wit : "An act to authorize Samuel Bloss to erect a dock adjoining his land on the Oneida Lake ;" also "An act to provide for the erection and establishment of a workhouse in the county of Erie;" also "An act to provide for building a bridge at Port Benjamin, in the town of Wawarsing;" also "An act for the preservation of game in Columbia county;" also "An act to amend an act entitled 'An act for the preservation of game in the county of Ulster,' passed May 10, 1845," were severally read a third time and passed.

The bill from the Assembly entitled "An act to dissolve the corporation known as 'The Buffalo Literary and Scientific Academy,' and to provide for the just disposition of the property of such incorporation," was read the third time, and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler
		24

The bill from the Assembly entitled "An act for the relief of the president, directors and first company of the Northern Turnpike Road," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE]

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lester	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons		

25

The bill from the Assembly entitled "An act to incorporate the Hudson Orphan and Relief Association," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler

24

The bill from the Assembly entitled "An act for the relief of Sarah Combs, widow of John Combs," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	

23

The bill from the Assembly entitled "An act to amend 'An act passed March the 15th, 1839,' to incorporate the Painted Post Bridge Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler 24

Ordered, That the Clerk return the last eleven mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

On motion of Mr. Hard,

The present and all intervening orders of business were laid on the table, and he offered the following resolution.

Resolved, That the Senate will proceed at one quarter before two o'clock of this day, to take the question on the final passage of the bill entitled "An act to incorporate the Niagara Fall's International Bridge Company," and that the question be taken without debate, and that the question on reconsideration be then taken and decided without debate.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Sanford	Mr. Williams
Mr. Emmons		

16

FOR THE NEGATIVE.

Mr. Denniston	Mr. Porter	Mr. S. Smith
Mr. Lester		

4

Afterwards,

The hour named in said resolution having arrived, said resolution was by unanimous consent so modified as to make the question of the final passage of said bill the special order for to morrow morning at ten o'clock, and striking out of said resolution all after the title of said bill.

By unanimous consent,

Mr. Van Schoonhoven, from the select committee, to whom was re-

ferred the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Phoenix Bridge Company,'" to consider and report complete, reported the same complete with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Burnham,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Thomas Beavan," and that the amendments proposed by the committee on claims, be engrossed and the bill ordered to a third reading.

On motion of Mr. Barlow,

Ordered, That the committee of the whole be discharged from the further consideration of the bills from the Assembly with the following titles, to wit: "An act to incorporate the Ogdensburgh and Heuvelton Plank Road Company;" also "An act to provide for levying a tax on the town of Massena, for building a bridge;" and also "An act to amend an act entitled 'An act to improve the road from Ogdensburgh to Canton, in the county of St. Lawrence,' passed April 26, 1831," and that they be referred to a select committee to consist of the Senators attending the Senate from the Fourth Senate District, to consider and report complete.

A message was received from the Assembly, informing that they had concurred in the resolution of the 12th day of January last, relative to the adjournment of the Legislature, with an amendment thereto, by striking out "Tuesday the 17th day of March," and inserting in lieu thereof, "Wednesday the 13th day of May."

Mr. President put the question on agreeing to said amendment of the Assembly to said resolution, and it was decided in the affirmative.

Thereupon,

Ordered, That the Clerk deliver said resolution to the Assembly, with a message informing that the Senate have concurred in the amendments thereto, and have amended the same accordingly.

A bill was received from the Assembly for concurrence, entitled "An act in relation to crimes punishable with death," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to authorize the election of three supervisors in the city of Utica," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Lott,

Ordered, That the bill from the Assembly entitled "An act for the relief of Asenath Mougin," be recommitted to the select committee consisting of the Senators attending the Senate from the Fifth Senate District, to consider and report complete.

The Assembly returned the bill entitled "An act to confirm the official acts of certain justices of the peace," with a message informing that they non-concur in the amendment of the Senate to the amendment of

the Assembly to the sixth amendment of the Senate to the said bill, and request the appointment of a committee of conference on the part of the Senate; and in case of such appointment, that Mr. Harris, Mr. Sands, Mr. J. Young, Mr. S. Lawrence, and Mr. Boyce be of the said committee on the part of the Assembly.

On motion of Mr. Lott,

Resolved, That the Senate agree to the appointment of said committee of conference on the subject matter of disagreement between the two Houses on said bill.

Mr. President named, and thereupon,

Ordered, That Mr. Lott, Mr. Clark and Mr. Lester be of the said committee on the part of the Senate.

Ordered, That the Clerk return said bill to the Assembly, with a copy of said resolution.

Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to annex the towns of Eagle and Pike and a part of Portage to the county of Wyoming,' passed April 1, 1846," to consider and report complete, reported the same complete, with an amendment, which was agreed to by the Senate, and the amendment ordered engrossed, and the bill to a third reading.

By unanimous consent,

Mr. Hard offered the following resolution:

Resolved, That the bill entitled "An act to incorporate the Schenectady and Catskill Railroad Company," be made the special order for Wednesday morning next, at 11 o'clock in the forenoon.

Mr. Beers moved to amend by striking out the word "eleven," and inserting the word "twelve."

Thereupon,

On motion of Mr. Putnam,

The Senate adjourned to 9 o'clock to-morrow morning.

TUESDAY, 9 O'CLOCK, A. M., APRIL 21, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkins.

The minutes of yesterday having been read and approved,

Four several bills were received from the Assembly with the following titles, to wit: "An act to incorporate the Union Lyceum of Lyons;" also "An act to incorporate the Niagara Falls Ferry Association;" also "An act to enable the supervisors of the city and county of New-York

to raise money by tax ;" also "An act in relation to the office of district attorney of the county of Schoharie," with a message, informing that they had concurred in the amendments of the Senate to said bills respectively, and had amended the same accordingly.

Said amended bills having been examined,

Ordered, That the Clerk return the same to the Assembly.

A message was received from the Assembly, informing that they had passed the bill entitled "An act authorizing trusts for the benefit of the owners and occupants of mill privileges on the Wynant's Kill," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Henry Heath," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

The report of the Commissioners of the Land Office on the petition of Susa Hendrick, an Indian woman, was received, read, and with said petition referred to the committee on Indian affairs.

Ordered, That the usual number of copies of said report be printed.

[*See Senate Document No. 127.*]

Mr. Deyo presented the petition of several citizens of Kingston, praying for an alteration of the act incorporating St. James' Methodist Episcopal Church of Kingston, and for legalizing the acts of said trustees, which was read and referred to the committee on charitable and religious societies.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act in relation to crimes punishable with death," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act for the relief of certain owners of land in Lockport, in the county of Niagara" reported against the passage thereof, which was committed to a committee of the whole.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to divide the town of Westchester, in the county of Westchester," which was ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act in relation to the criminal courts in the city of New-York" reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill, as amended, be printed.

On motion of Mr. Lott,

Ordered, That the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act requiring the land agent in the fifteenth township of the town of Norwich, Chenango

county, to give bond for the faithful discharge of his duty," be discharged from the further consideration thereof, and that said bill be referred to the committee on grievances.

Mr. Wheeler, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of George Wheeler and others," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the petition of inhabitants of Flatbush, for that purpose, asked for and obtained leave to report a bill entitled "An act to authorize the commissioners of highways in the town of Flatbush, in Kings county, to widen a road therein mentioned," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Clark, from the select committee consisting of the Senators attending the Senate from the Fourth Senate District, to whom was referred three several bills from the Assembly with the following titles, to wit: "An act to incorporate the Ogdensburgh and Heuvelton Plank Road Company;" also "An act to amend the act entitled 'An act to improve the road from Ogdensburgh to Canton, in the county of St. Lawrence,' passed April 26, 1831;" also "An act to provide for levying a tax on the town of Massena, for building a bridge," to consider and report complete, reported the same severally without amendment, which was agreed to by the Senate, and the bills ordered to a third reading.

Mr. Emmons, from the select committee of eight, to whom was referred the bill from the Assembly entitled "An act to authorize the establishment of a house of refuge for juvenile delinquents in Western New-York," to consider and report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

The hour of two having arrived, the Senate proceeded to the further consideration of the question of the final passage of the bill from the Assembly entitled "An act to incorporate the Niagara Falls International Bridge Company."

Debates being had, but without taking the question thereon,

Mr. Talcott moved to lay said question on the table, and that the Senate do now proceed to the consideration of Executive business.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Johnson
Mr. Lester
Mr. Porter

Mr. Sedgwick
Mr. S. Smith
Mr. Talcott

FOR THE NEGATIVE.

Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Spencer
Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Sanford	Mr. Wheeler
Mr. Hard	Mr. Scovil	Mr. Williams
Mr. Jones		

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Further debates being had thereon, and amendments made thereto,

By unanimous consent,

Mr. President put the question on the final passage of said bill, with the amendments, and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. S. Smith
Mr. Clark	Mr. Mitchell	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Williams

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FOR THE NEGATIVE.

Mr. Lester

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Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments thereto, therewith delivered.

By unanimous consent,

On motion of Mr. Chamberlain,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act concerning the office of district attorney of the county of Allegany," and that the same be referred to a select committee, to consist of the Senators attending the Senate from the Sixth Senate district, to consider and report complete.

Mr. Sedgwick, from the select committee, consisting of the Senators attending the Senate from the Seventh Senate District, to whom was referred the bill from the Assembly entitled "An act to provide for the election of superintendents of the poor and other officers by the people in the county of Onondaga," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Hand,

The several bills with the following titles, to wit: "An act to build an armory for the guards at Auburn State Prison, and for other pur-

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poses;" also "An act making an appropriation for the relief of Mount Pleasant State Prison, and for other purposes;" also "An act in relation to State Prison discipline;" also "An act to abolish whipping in the prisons of this State;" also "An act in relation to the Clinton State Prison," be made the special order for Saturday morning next, at 11 o'clock.

On motion of Mr. Jones,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Ocean Steam Navigation Company," and that the same be referred to a select committee, to consider and report complete.

The President announced, and thereupon,

Ordered, That Mr. Jones, Mr. Backus and Mr. Hand, be such committee.

Mr. Sedgwick offered the following resolution,

Resolved, That the order of the Senate setting apart Thursday and Friday of each week for the consideration of private claims, be so altered that the Senate proceed to that business on those days immediately after the presentation of petitions.

Mr. Beers moved to amend said resolution by striking out the words "presentation of petitions," and insert instead thereof, the words "consideration of the bills concerning the abolition of distress for rent, for taxation of certain rents; and concerning certain tenures."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. Porter
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Jones	Mr. Van Schoonhoven
Mr. Deyo	Mr. Lester	11

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Chamberlain	Mr. Lott	Mr. Sanford
Mr. Clark	Mr. Mitchell	Mr. J. B. Smith
Mr. Eminons	Mr. Putnam	Mr. Spencer
		12

Mr. President then put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE NEGATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Emmons }
Mr. Beekman	Mr. Clark	Mr. Folsom

Mr. Hand	Mr. Putnam	Mr. Sanford
Mr. Jones	Mr. Scovil	Mr. Spencer
Mr. Lott	Mr. Sedgwick	Mr. Van Schoonhoven
Mr. Mitchell		16

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Porter
Mr. Denniston	Mr. Lester	Mr. S. Smith
Mr. Deyo		7

On motion of Mr. Williams,

The Senate proceeded to the further consideration of the question of the final passage of the engrossed bill entitled "An act for the relief of the Auburn and Rochester Railroad Company."

Debates being had, but without taking the question thereon.

Mr. Hand presented the remonstrance of the common council of the city of Albany against the passage of the bill in relation to the Albany basin, which was read and laid on the table.

Two several bills were received from the Assembly with the following titles, to wit: "An act to amend the act to provide for paying the debts of Insolvent Safety Fund Banks;" also "An act to incorporate the village of Cold Spring," with a message, informing that they had concurred in the amendments of the Senate thereto respectively, and had amended the same accordingly.

The said amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Lott asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to allow compensation for service of subpoena in certain criminal cases on behalf of a defendant," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to revive and amend the act entitled 'An act to incorporate the Phoenix Bridge Company,' passed April 17, 1830," which was ordered to a third reading.

A copy of a resolution was received from the Assembly and read in the words following, to wit:

Resolved, (if the Senate concur,) That the trustees of the Capitol be, and they are hereby authorized in their discretion to cause the present lamps in the Capitol Park to be removed, and to substitute gas lamps in place thereof, provided the expense shall not exceed two hundred and fifty dollars, which was laid on the table.

Then the Senate adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., APRIL 22, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Preble.

The minutes of yesterday having been read and approved,

A bill was received from the Assembly entitled "An act authorizing the removal of indictments from the Recorder's court of the city of Utica to the court of oyer and terminer, and for other purposes," with a message informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return said bill to the Assembly.

Mr. Deyo presented the remonstrance of sundry inhabitants of the town of Esopus against changing the name of said town, which was read and referred to the committee on the division of towns and counties.

Mr. Emmons presented the remonstrance of several hundred inhabitants and business men of the city of Buffalo against any increase of canal tolls, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize the commissioners of highways in the town of Flatbush, in Kings county, to widen a road therein mentioned, which was ordered to a third reading.

The Senate then, pursuant to order, proceeded to the further consideration of the resolutions from the Assembly, which were read in the words following, to wit :

Resolved, (if the Senate concur,) That it be recommended to the Senators and Representatives of the State of New-York in the Congress of the United States, to use their best efforts to procure the passage of a law, during the present session of Congress, that will regulate and establish the pilot system of the United States upon equitable and proper principles, securing to the citizens of each State their just rights, and establishing in each State a board for the examination of all pilots before they shall be permitted to enter upon the duties of so important an office.

Resolved, (if the Senate concur,) That in case so desirable an object cannot be effected, that they endeavor to procure the passage of a law giving to each State the power to pass laws for the appointment and regulation of the pilots for themselves.

Mr. Folsom moved to amend said first resolution by inserting, after the word "rights," in the 7th line, the words, "and also proper competition in the business of piloting," and also to add to said resolution, the words, "requiring similar qualifications in all pilots."

Debates being had but without taking the question on said amendment.

Mr. Putnam moved to lay the whole subject on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer
Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. Sedgwick
Mr. Denniston	Mr. Lott	Mr. Sanford
Mr. Hand	Mr. Mitchell	Mr. S. Smith
Mr. Johnson	Mr. Scovil	Mr. Williams

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Mr. President put the question on agreeing to said amendments, and it was decided in the affirmative.

Mr. Clark then moved to amend said resolutions by adding thereto the following :

Resolved, That the Governor be requested to transmit a copy of the above resolutions to each of the Senators and Representatives in Congress from this State.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

Mr. President then put the question on agreeing to said resolutions as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said copy resolutions to the Assembly, with a message informing them that the Senate have passed the same with the amendments therewith, respectively delivered.

A message was received from the Assembly, informing that they had passed the bill entitled "An act in relation to the election of delegates to the convention of the people of this State," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A message was received from the Assembly, informing that they had passed the bill entitled "An act in relation to the State Lunatic Asylum," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled "An act in relation to railroad charters," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the building of a free bridge across the Oswego river and Oswego canal, between the town of Schroepel, in Oswego county, and the town of Lysander, in the county of Onondaga," which was read

the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A message was received from the Governor, informing that he had on the 21st instant, approved and signed the bill entitled "An act authorizing trusts for the benefit of the owners and occupants of mill privileges on the Wynant's Kill;" also, that he had this day approved and signed the bill entitled "An act in relation to the election of delegates to the convention of the people of this State."

Mr. Scovil called for the execution of the special order.

Mr. Porter moved to lay said order on the table till after the reports of committees.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Denniston	Mr. Johnson	
Mr. Barlow	Mr. Deyo	Mr. Porter	
Mr. Beekman	Mr. Folsom	Mr. S. Smith	9

FOR THE NEGATIVE.

Mr. Beers	Mr. Hard	Mr. Scovil	
Mr. Burnham	Mr. Mitchell	Mr. Sedgwick	
Mr. Clark	Mr. Putnam	Mr. Wheeler	
Mr. Hand			10

The Senate then, pursuant to order, resolved itself into a committee of the whole on the bill entitled "An act in relation to the tolls of the canals," and after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Scovil,

Said bill was made the special order for to-morrow morning, immediately after the presentation of petitions.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the University of Buffalo," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

On motion of Mr. Johnson,

Resolved, That the bill, petition, and other papers in relation to the claim of Jonas Ingraham, be referred to the Canal Commissioners to report thereon, first, whether since the report of the Canal Board of 1845, (Assembly Document, No. 217,) there has been any change in the facts respecting said claim; secondly, whether the said Ingraham has any ground for relief except for such work as has been done by

him since the passage of the act for the preservation of the credit, and for the payment of the debt of the State, and which work was specified in the report of the said Canal Board.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Fort Hill Cemetery Association," with a message informing that they had concurred with the Senate in their amendment thereto, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act in relation to the State Lunatic Asylum."

A bill was received from the Assembly for concurrence entitled "An act to reduce the expenses of canal repairs," which was read the first time, and by unanimous consent was also read a second time.

Mr. Clark moved that the said bill be committed to a committee of the whole, and be made the special order for Monday next, immediately after the presentation of petitions.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam	
Mr. Burnham	Mr. Hard	Mr. Scovil	
Mr. Chamberlain	Mr. Jones	Mr. Sanford	
Mr. Clark	Mr. Lott	Mr. J. B. Smith	
Mr. Emmons	Mr. Mitchell	Mr. Wheeler	15

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sedgwick	
Mr. Hand	Mr. Porter	Mr. S. Smith	6

On motion of Mr. Putnam,

The committee of the whole was discharged from the further consideration of the bill from the Assembly entitled "An act to prevent abuses in the administration of justice and bailing of prisoners in the county of Erie," and the amendments reported by the judiciary were agreed to by the Senate, and ordered engrossed and said bill to a third reading.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to provide for the sale of lands for taxes hereafter assessed, in the counties where such lands are situated" reported against the passage thereof, which was committed to a committee of the whole.

On motion of Mr. Putnam,

Said bill was made the special order of the day for Tuesday next, at 10 o'clock, A. M.

Mr. Porter, from the committee on finance, asked for and obtained leave to report a bill entitled "An act in relation to the Montezuma salt springs, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consider and report complete.

Ordered, That Mr. Clark, Mr. Porter and Mr. Backus be such committee.

Mr. Denniston asked for and by unanimous consent obtained leave to bring in a bill entitled "An act respecting the town records of the town of Goshen, destroyed by fire," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Then the Senate adjourned to 9 o'clock to-morrow morning.

THURSDAY, 9 O'CLOCK, A. M., APRIL 23, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkins.

The minutes of yesterday having been read and approved,

Mr. Lester presented the petition of citizens of Ontario county, that the Auburn and Rochester Railroad Company, may be made suable in justices courts, which was read and laid on the table.

Mr. Sanford presented the memorial of sundry citizens of New-York, to allow insurance companies to refill their capital, which was read and referred to the committee on banks and insurance companies.

Mr. Putnam presented the proceedings of a public meeting held at Batavia, in Genesee county, as to school house sites, which was read and referred to the committee on the judiciary.

Mr. Sanford presented two several memorials of merchants, citizens of New-York city, to allow insurance companies to refill their capitals, which were read and referred to the committee on banks and insurance companies.

Mr. Beekman presented the remonstrance of inhabitants of the city of Albany, against the passage of a law to give owners and lessees of lots on the dock and pier the power to excavate the basin, without the consent of the common council of said city, which was read and laid on the table.

By unanimous consent,

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to incorporate the University of Buffalo," reported in favor of the passage thereof, without amend-

ment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act in relation to railroad charters," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Denniston, from the committee on canals, to whom was referred the bill entitled "An act in relation to the Canal Board," reported in writing against the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said report and bill respectively, be printed.

[*See Senate Document No. 128.*]

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the petition of Zebedee Cook and others for that purpose, asked for and obtained leave to report a bill entitled "An act to incorporate the Unitarian Association of the State of New-York," which was read the first time, and by unanimous consent was also read a second time, and the bill ordered to be engrossed for a third reading.

Mr. Clark, from the same committee, to whom was referred the petition of citizens of Kingston for that purpose, asked for and obtained leave to bring in a bill entitled "An act to change the name of the Methodist Episcopal Church at Kingston, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill entitled "An act to allow compensation for service of subpoenas in certain criminal cases on behalf of a defendant," reported in favor of the passage thereof, which was committed to a committee of the whole.

Ordered, That the usual number of copies of said bill be printed.

Mr. Jones, from the select committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the Ocean Steam Navigation Company," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to authorize the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits and for other purposes," and the same to a third reading.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act in relation to the tolls on the canals," and after some time spent thereon, Mr. President resumed the chair, and

Mr. Putnam, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Scovil,

Said bill was made the special order for Wednesday morning next, at 10 o'clock.

A bill was received from the Assembly entitled "An act to incorporate the Niagara Falls International Bridge Company," with a message informing that they had concurred in the amendments of the Senate thereto, and had amended said bill accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

A copy of certain resolutions was received from the Assembly, in relation to the pilot system, with a message, informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

Said amended resolutions having been examined,

Ordered, That the Clerk return the same to the Assembly.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to amend the charter of the city of Rochester;" also "An act to amend an act entitled 'An act relative to the city of Brooklyn,' passed April 28th, 1845;" also "An act to amend an act entitled 'An act vesting certain powers in the freeholders and inhabitants of the village of Waterford, passed March 28, 1805,' and for other purposes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled "An act to erect the county of Canisteo," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: An act to revive and amend the charter of the Troy Turnpike and Railroad Company;" also "An act to incorporate the Aurora and Buffalo Plank Road Company," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the owners of the land adjoining the bed of the old Erie canal, at and near the village of Cohoes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the St. David's Benevolent Societies of the cities of New-York and Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled "An act to regulate the price for transporting freight on the Tonawanda Railroad," which was read the first time, and by unanimous consent

was also read a second time, and referred to the committee on railroads.

On motion of Mr. Spencer,

The bill from the Assembly entitled "An act for the relief of John O. Frazee, Julius C. Foster and Benjamin Frazee," was read the third time.

Debates being had thereon to the hour of 12,

Mr. Williams called for the execution of the special order.

Thereupon,

Ordered, That said special order be suspended.

Mr. President then put the question on the final passage of said bill, and it was decided in the affirmative.

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to amend an act to incorporate the Buffalo and Niagara Falls Railroad Company, passed 1834," also "An act to amend and revive an act entitled 'An act to incorporate the Elmira and Williamsport Railroad Company,' passed April 21st, 1832," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the city of Brooklyn, and the Brooklyn and Jamaica Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled "An act to alter the terms of the county courts of the county of Chemung," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe," and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Porter,

The 26th standing rule of the Senate was suspended, and Mr. Porter then moved to reconsider the vote on the final passage of the bill entitled "An act to incorporate the Homœopathic College of Western New-York" which motion was laid on the table.

On motion of Mr. Chamberlain,

Ordered, That the usual number of copies of the bill from the Assembly entitled "An act to reduce the expenses of canal repairs," be printed.

Then the Senate adjourned to 9 o'clock to-morrow morning.

FRIDAY, 9 O'CLOCK, A. M., APRIL 24, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Preble.

The minutes of yesterday having been read and approved,

Mr. Porter presented the remonstrance of Jonathan Thompson, James Brown, James G. King and others, owners of real estate in the city of New-York, against the granting power to the corporation of that city to collect wharfage on produce and merchandize, as provided in section 6 of Assembly bill No. 415 of April 10, 1846, which was read and laid on the table.

Mr. Jones presented the petition of Walter R. Jones and others, of the city of New-York, in favor of the bill granting additional powers to the New-York Fire Insurance Company, which was read and referred to the committee on banks and insurance companies.

Mr. Sanford presented the petition of G. Howland and others, creditors of the Manhattan Fire Insurance Company for a renewal of the charter of said company, which was read and referred to the same committee.

By unanimous consent,

The special order was suspended till after the reports of committees.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act for the relief of Livingston Schuyler," reported in writing against the passage of said bill, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 127.]

On motion of Mr. Chamberlain,

The bill from the Assembly entitled "An act to amend an act entitled 'An act to annex the towns of Eagle and Pike and part of Portage to the county of Wyoming,' passed April 1, 1846," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same, with the amendments thereto, therewith delivered.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit: "An act to incorporate the Unitarian Association of the State of New-York;" also "An act to change the name of the Methodist Episcopal Church at Kingston, and for other purposes;" also "An act respecting the town records of the town of Goshen, destroyed by fire," which were severally ordered to a third reading.

On motion of Mr. Lott,

Ordered, That the committee on the judiciary be discharged from the further consideration of the bill from the Assembly entitled "An act to

repeal the act entitled 'An act to improve the post road running from the Elephant Hotel in the town of Somers, to the village of Peekskill, passed May 13, 1845, and for other purposes.'

Thereupon,

On motion of Mr. S. Smith,

Said bill was committed to a committee of the whole, and made the special order of the day for Monday the 4th day of May next, at 10 o'clock, A. M.

Mr. Lott, from the committee on the judiciary, to whom was referred six several bills from the Assembly with the following titles, to wit: "An act to amend the Revised Statutes so as to authorize the discharge of persons imprisoned for costs only;" also "An act authorizing Elisha Powell, George H. Benham, and Lansing Clute, members of the Presbyterian Society of the town of Milton, in the county of Saratoga, to convey certain real estate;" also "An act to amend and extend the provisions of the act entitled 'An act in relation to the Seventh Day Baptists,' passed May 7, 1839;" also "An act to amend section eighteen, of title six, chapter nine and part one of the Revised Statutes;" also "An act to amend the Revised Statutes so as to authorize executors and administrators to compromise debts due to them from insolvent debtors;" also "An act to amend an act entitled 'An act concerning the district attorney of the county of Oneida,' passed May 10, 1845," reported against the passage thereof severally, which were respectively committed to a committee of the whole.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to enable the trustees of school districts to obtain title to land for the site of school houses," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Lott, from the same committee, to whom were referred two several bills from the Assembly, with the following titles, to wit: "An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the county of Richmond;" also "An act authorizing the election of trustees of public lands in the town of Eastchester, and defining their duties," reported in favor of the passage thereof severally, without amendment, which was agreed to by the Senate, and said bills ordered to a third reading.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of John Merriam and others," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to amend and revive an act entitled 'An act to incorporate the Elmira and Williamsport Railroad Company,' passed April 21st, 1832," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the same committee, to whom was referred the bill

from the Assembly entitled "An act to regulate the price for transporting freight on the Tonawanda Railroad," reported in favor of the passage thereof; without amendment, which was laid on the table.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the St. David's Benevolent Society of the cities of New-York and Brooklyn," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act requiring the land agent in the fifteenth township of the town of Norwich, Chenango county, to give bonds for the faithful discharge of his duty," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to provide for the building of a free bridge across the Oswego river and Oswego canal, between the town of Schroepfel, in Oswego county, and the town of Lysander, in the county of Onondaga," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Burnham, from the same committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the Aurora and Buffalo Plank Road Company," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Mitchell, from the select committee consisting of the Senators attending the Senate from the Fourth Senate District, to whom was referred the petition of citizens of Warren county, for that purpose, asked for and obtained leave to report a bill entitled "An act declaring a part of a branch of the Hudson river, known as trout brook a public highway," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Clark, from the select committee, to whom was referred the bill entitled "An act in relation to the Montezuma Salt Springs, and for other purposes," to consider and report complete, reported the same without amendment.

Debates being had, but without taking the question on agreeing with said committee in their report.

Mr. Chamberlain moved to lay the same on the table.

Mr. President put the question, on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam	
Mr. Burnham	Mr. Hard	Mr. Scovil	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Wright	12

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Spencer	
Mr. Beekman	Mr. Lester	Mr. Williams	
Mr. Denniston	Mr. Porter	Mr. Young	
Mr. Hand			10

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Nelson Wolcott," and that the same be ordered to a third reading.

On motion of Mr. Lott,

Ordered, That the usual number of copies of the list of all the general orders be printed, designating such as have passed, such as are special orders, and such as are unfinished.

[See Senate Document No. 131.]

A message was received from the Assembly, informing that they had passed the bill entitled "An act to incorporate the Submarine Telescope Company," without amendment.

Thereupon,

On motion of Mr. Lott,

Resolved, That the said bill be returned to the Assembly, with a message respectfully requesting them to reconsider their vote, with the view to an amendment thereof, by adding to the second section of the same the following words, "to be divided into shares of twenty-five dollars each."

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act in relation to imprisonment of attorneys and others upon execution;" also "An act to provide for the compensation of jurors in the city and county of New-York," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Four several bills were received from the Assembly for concurrence with the following titles, to wit: "An act for the relief of Zenas Higgins;" also "An act for the relief of William Sternbergh;" also "An act for the relief of Isaac Jackson;" also "An act for the relief Mordecai Ogden and John Durfee," which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act abolishing the office of inspector of the Onondaga Salt-Springs, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

By unanimous consent,

On motion of Mr. Mitchell,

The engrossed bill entitled "An act for the relief of Peter J. Wagner," was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

The execution of the special order being called for,

On motion of Mr. Hard,

Said special order was suspended, and Mr. President put the question on the final passage of the engrossed bill entitled "An act for the relief of the Auburn and Rochester Railroad Company," and the same was lost: two thirds of all the members elected to the Senate not voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer
Mr. Beekman	Mr. Jones	Mr. Van Schoonhoven
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Mitchell	Mr. Williams
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Hand	Mr. S. Smith	

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FOR THE NEGATIVE.

Mr. Beers	Mr. Deyo	Mr. Lester
Mr. Denniston	Mr. Johnson	Mr. J. B. Smith

6

On motion of Mr. Williams,

The 26th standing rule of the Senate was suspended.

Thereupon,

Mr. Hard moved to reconsider the vote on the final passage of said bill, which last motion was laid on the table.

A bill was received from the Assembly entitled "An act to amend an act entitled 'An act to annex the towns of Eagle and Pike, and part of Portage to the county of Wyoming,' passed April 1, 1846," with a message, informing that they had concurred in the amendments of the Senate to said bill and had amended the same accordingly.

The said amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

The Senate then again resolved itself into a committee of the whole on the bill entitled "An act for the relief of Amos Kingsley and Archibald Campbell," and after some time spent thereon, Mr. President resumed the chair, and Mr. Putnam, from said committee, reported that

they had gone through the bill, and had directed him to report the same to the Senate, with amendments.

Mr. Barlow moved to amend said report by striking out of the first section of said bill the words : " provided it shall appear to the satisfaction of the appraisers that the break and consequent damage, was owing to neglect, want of proper care or skill on the part of the canal agents."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follows :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Clark	Mr. Spencer	
Mr. Burnham	Mr. Putnam		5

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell	
Mr. Beekman	Mr. Hand	Mr. Porter	
Mr. Beers	Mr. Johnson	Mr. Wheeler	
Mr. Denniston	Mr. Lester	Mr. Young	
Mr. Deyo	Mr. Lott		14

The report of the committee was then agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

A message was received from the Assembly, informing that they had passed the bill entitled "An act authorizing the President, Directors and Company of the Cohecton Bridge Company to establish a ferry across the Delaware River," without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Four several bills were received from the Assembly for concurrence, with the following titles, to wit : "An act to amend the charter of the German Evangelical Society in the county of Herkimer, and to confirm the official acts of John Dygert, commissioner of deeds, in taking the acknowledgment of the certificate and act of incorporation ; also "An act to incorporate the Prison Association of New-York ;" also "An act to change the name of the Bethel Baptist Church in Williamsburgh ;" also "An act to incorporate the Gemileth Chesed, or Hebrew Mutual Benefit Society of the city of New-York," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on charitable and religious societies.

Three several bills were received from the Assembly for concurrence, with the following titles, to wit : "An act to incorporate the Buffalo Savings Institution ;" also "An act to revive and continue in force an act entitled 'An act to incorporate the Cherry-Valley Mutual Insurance Company,' passed April 12, 1842, and for other purposes," which were severally read the first time, and by unanimous consent were also read

a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to limit the period of service in the fire department in the village of Binghamton," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The report of the Canal Board on the petition of Lewis Bastide and N. B. Kingeland, was received, read and referred to the committee on the judiciary.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 129.]

Leave of absence was granted to Mr. Talcott for four days from Wednesday last; to Mr. Putnam for four days from this day; to Mr. Hard and Mr. Beers each for one day from this day.

On motion of Mr. Clark,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company,' passed April 12, 1844," and that the same be referred to a select committee to consider and report complete.

Mr. President named, and thereupon

Ordered, That Mr. Clark, Mr. Spencer and Mr. Sanford, be such committee.

On motion of Mr. Backus,

Ordered, That the bill entitled "An act to authorize the establishment of a Lunatic Asylum in Western New-York;" and also the bill entitled "An act to authorize the establishment of an Asylum for Idiots," be made the special order of the day for Monday next at 10 o'clock.

On motion of Mr. Denniston,

The engrossed bill entitled "An act respecting the town records of the town of Goshen, destroyed by fire," was read the third time and passed.

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

On motion of Mr. Denniston,

Ordered, That the bill from the Assembly entitled "An act to reduce the expenses of the Canal repairs," be made the special order of the day for Wednesday morning next at 10 o'clock.

Mr. Putnam moved that when the Senate adjourn, it adjourn to meet on Monday next, at 9 o'clock, A. M.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Burnham	Mr. Putnam	Mr. Wheeler
Mr. Hard	Mr. Spencer	

8

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Jones	Mr. Young
Mr. Chamberlain		

10

Then the Senate adjourned to 9 o'clock to-morrow morning.

SATURDAY, 9 O'CLOCK, A. M., APRIL 25, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkins.

The minutes of yesterday were read.

Mr. President put the question on approving the same.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Beekman	Mr. Hand	Mr. Sanford
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lester	Mr. Spencer
Mr. Deyo	Mr. Lott	

14

A quorum of the Senate not voting thereon,

On motion of Mr. Clark,

The Senate adjourned to 9 o'clock on Tuesday morning.

TUESDAY, 9 O'CLOCK, A. M., APRIL 28, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bates.

The minutes of Saturday having been read and approved,

Mr. Porter moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Emmons	Mr. Johnson	Mr. Porter	
Mr. Hand			4

FOR THE NEGATIVE.

Mr. Beers	Mr. Lester	2
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Thereupon,

The Senate adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., APRIL 29, 1846.

The Senate met pursuant to adjournment.

Mr. Hand presiding.

Prayer by the Rev. Mr. Benson.

The minutes of yesterday having been read and approved,

The Senate approved the minutes of Friday last.

Mr. Burnham presented the affidavit of Robert O. Reynolds in the matter of Ralph Burt, trustee of a school district in the town of Linklaen, which was read and referred to the committee on the judiciary.

A message was received from the Governor, informing that he had, on the 24th instant, approved and signed the bill entitled "An act authorizing the President, Directors and Company of the Cochection Bridge Company to establish a ferry across the Delaware River."

Mr. Lester, from the committee on banks and insurance companies, to whom were referred nine several bills from the Assembly with the following titles, to wit: "An act for the benefit of the Jefferson In-

Insurance Company in the city of New-York ;" also "An act for the benefit of the North American Fire Insurance Company;" also "An act for the benefit of the United States Fire Insurance Company in the city of New-York;" also "An act for the benefit of the Howard Insurance Company of New-York;" also "An act for the benefit of the Eagle Fire Company of New-York, in the city of New-York;" also "An act for the benefit of the New-York Contributionship Insurance Company;" also "An act for the benefit of the Merchants' Fire Insurance Company;" also "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York;" also "An act for the benefit of the Manhattan Fire Insurance Company in the city of New-York;" reported the same severally for the consideration of the Senate with amendments thereto respectively, which were severally committed to a committee of the whole.

On motion of Mr. Clark,

Mr. President put the question on the concurring in the resolutions from the Assembly entitled "Concurrent resolutions on the subject of the militia," and it was decided in the affirmative.

Thereupon,

Resolved, That the resolutions do pass.

Ordered, That the Clerk deliver a copy of said resolution of concurrence to the Assembly.

On motion of Mr. Backus,

The Senate resolved itself into a committee of the whole on the bill entitled "An act to authorize the establishment of a Lunatic Asylum in Western New-York," and after some time spent thereon, Mr. President resumed the chair, and Mr. Spencer, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the bill entitled "An act to authorize the establishment of an asylum for idiots," and after some time spent thereon, Mr. President resumed the chair, and Mr. Porter, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed the bill entitled "An act concerning the district attorney of the county of Orange;" also the bill entitled "An act to legalize and make valid certain conveyances and trusts for the Community of True Inspiration," severally without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence entitled "An act to amend the act incorporating the village of Saratoga Springs, passed April 17, 1826," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled "An act to amend and revive an act entitled 'An act to incorporate the Utica and Susquehannah Railroad Company,' passed April 25, 1832," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Buffalo and Lancaster Plank Road Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to abolish the office of trustees of the gospel and school lots, and to transfer the powers and duties of the same to the town superintendent of common schools," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Mr. Porter offered the following resolution :

Resolved, That the Senate do now proceed to elect by an open nomination a temporary president of the Senate, and that a majority of all the votes cast be necessary to a choice.

Mr. Clark moved to amend said resolution by striking out the word "now," and inserting instead thereof, the words "to-morrow at twelve o'clock."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Spencer	8

FOR THE NEGATIVE.

Mr. Barlow	Mr. Deyo	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Beers	Mr. Lester	Mr. Young
Mr. Denniston	Mr. Porter	11

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

Thereupon,

Each Senator present openly nominated a President pro tempore, as follows :

FOR SAMUEL YOUNG.

Mr. Barlow	Mr. Deyo	Mr. Porter
Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Williams

FOR MR. LOTT.

Mr. Chamberlain

M. Clark

Mr. Wheeler

FOR MR. PUTNAM.

Mr. Backus

Mr. Spencer

Mr. Van Schoonhoven

Mr. Eminons

Thereupon,

Resolved, That the Hon. Samuel Young be, and he hereby is, appointed President pro tempore of the Senate.

Mr. Young, on taking the chair, expressed his gratitude for the honor conferred upon him by the Senate. If he had been consulted, or had any agency in the matter when his name was first used, he would have declined the honor, as he would not be able to stay here until the close of the session; but as long as he did remain, he would endeavor to discharge the duties of the office to the best of his ability.

Ordered, That Mr. Denniston and Mr. Spencer wait upon the Governor and inform him that the Senate have appointed the Hon. Samuel Young President pro tempore.

Ordered, That Mr. Lott and Mr. Hand wait upon the Assembly with a like message.

The said committees subsequently reported that they had performed the duties assigned to them respectively.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act declaring a part of the Hudson River, known as Trout Brook, a public highway," which was ordered to a third reading.

Mr. Van Schoonhoven presented the 23d annual report of the Troy Savings Bank, which was read and laid on the table.

Mr. Van Schoonhoven presented the petition of Sarah Graves and others, ladies of the county of Rensselaer, for the relief of persons convicted for offences growing out of the relation of landlord and tenant, which was read and referred to the committee on the judiciary.

Mr. Chamberlain, from the select committee, to whom was referred the bill from the Assembly entitled "An act concerning the office of district attorney of the county of Allegany," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

* Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to abolish the office of trustees of the gospel and school lots, and to transfer the powers and duties of the same to the town superintendent of common schools," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to

change the name of the Bethel Baptist Church in Williamsburgh," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the same committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the Gemileth Chessed or Hebrew Mutual Benefit Society of the city of New-York," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Clark, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend the charter of the German Evangelical Society in the county of Herkimer, and to confirm the official acts of John Dygert, commissioner of deeds in taking the acknowledgment of the certificate and act of incorporation," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Emmons moved that the bill from the Assembly entitled "An act to continue in force an act entitled 'An act to encourage the growth and manufacture of silk,' passed May 26, 1841," be taken from the general orders, and ordered to a third reading, which motion was laid on the table.

On motion of Mr. Backus,

The bill entitled "An act to provide for building a bridge across the Genesee-Valley Canal, at Clay-street in the city of Rochester," reported by the committee on canals, was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the Lafayette Horse Guards of the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act concerning the district attorney of the county of Orange," and also the bill entitled "An act to legalize and make valid certain conveyances and trusts for the Community of True Inspiration."

On motion of Mr. Beers,

The bill from the Assembly in relation to the Dansville elip and basin, was made the special order of the day for to-morrow morning, at 10 o'clock.

On motion of Mr. Lott,

The Senate proceeded to the third reading of majority bills.

The engrossed bill entitled "An act to divide the town of Westchester in the county of Westchester," was read the third time.

Mr. President put the question on the final passage of said bill,

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Chamberlain
Mr. Clark

Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Lott

Mr. Porter
Mr. Sedgwick
Mr. Spencer
Mr. Talcott

13

FOR THE NEGATIVE.

Mr. Johnson

Mr. Young

2

A quorum of the Senate not voting thereon,

Ordered, That said bill be laid on the table.

The bill from the Assembly entitled "An act to regulate the expenditure of the highway tax in parts of Essex, Hamilton and Warren counties," was read the third time, and the question on the final passage thereof, laid on the table.

Nine several bills from the Assembly with the following titles, to wit: "An act to authorize certain officers of Livingston county to allow and audit certain town accounts;" also "An act to authorize the Canal Commissioners to commute with the town of Rotterdam, in relation to a bridge over the Erie Canal;" also "An act to provide for the education of the children of the Onondaga Indians, in the county of Onondaga, and the children of the other Indians residing in this State;" also "An act to authorize the trustees of the school district at the village of Williamsville, in the town of Amherst, and county of Erie, to make separate rate bills for the higher and primary departments of the schools kept in said district;" also "An act for the preservation of fish in the Otisco Lake;" also "An act for the preservation of eels in the town of Southampton, in the county of Suffolk;" also "An act in relation to crimes punishable with death;" also "An act to amend the act entitled 'An act to improve the road from Ogdensburgh to Canton, in the county of St. Lawrence,' passed April 26, 1831;" also "An act to provide for levying a tax on the town of Massena for building a bridge," were severally read the third time and passed.

Ordered, That the Clerk return the last nine mentioned bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

Three several bills from the Assembly with the following titles, to wit: "An act in relation to documentary evidence;" also "An act for the relief of Thomas Beach Clarke, and to authorize the collection of taxes in the town of Williamsburgh;" also "An act for the relief of Thomas Beavan," with the engrossed amendments, were severally read the third time and passed.

Ordered, That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same with the amendments therewith respectively delivered.

The bill from the Assembly entitled "An act to authorize the esta-

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blishment of a house of refuge in western New-York," with the engrossed amendments, was read the third time and laid on the table.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to provide for building a bridge across the Genesee-Valley Canal, at Clay-street in the city of Rochester;" also "An act for the relief of Amos Kingsley and Archibald Campbell," which were severally ordered to a third reading.

Then the Senate adjourned to 9 o'clock to-morrow morning.

THURSDAY, 9 O'CLOCK, A. M., APRIL 30, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bates.

The minutes of yesterday having been read and approved,

Mr. Burnham presented the affidavit of Merrit Clark, in the matter of the claim of Merrit Clark and others, which was read and referred to the committee on claims.

On motion of Mr. Burnham,

The committee of the whole were discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Merrit Clark, Richard Clark, Ambrose Clark and George D. Wheeler, and said bill was recommitted to the same committee.

Mr. Beers presented the petition of inhabitants of Urbana, Steuben county, for the new county of Canisteo, which was read and referred to the committee on the division of towns and counties.

Mr. Porter presented the remonstrance of Peter Lorrillard, Jr., and others, merchants of the city of New-York, against the wharf tax provision in the bill from the Assembly entitled "An act to amend an act concerning passengers in vessels coming to the port of New-York, passed February 11, 1824," which was read and laid on the table.

Mr. Spencer presented the remonstrance of 369 inhabitants of the city of Albany, against the passage of the bill in relation to the Albany basin, which was read and referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Henry Heath," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. Johnson,

Ordered, That the committee on claims be discharged from the

further consideration of the bill from the Assembly entitled "An act for the relief of Mordecai Ogden and John Durfee;" also "An act for the relief of Isaac Jackson," and that the same be referred to the Canal Commissioners for their report thereon.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of William Sternbergh" reported against the passage thereof, which was agreed to by the Senate.

Thereupon,

Resolved, That the bill do not pass.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate do not concur in the passage thereof.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to revive and continue in force the act entitled 'An act to incorporate the Cherry-Valley Mutual Insurance Company,' passed April 12, 1842," and for other purposes," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Williams, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to provide for the construction of a railroad from Albany to Cohoes and Waterford," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

On motion of Mr. Emmons,

The committee on claims was discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Zenas Higgins," and said bill was referred to the committee on finance.

Mr. Deyo, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to incorporate the Buffalo and Lancaster Plank Road Company," reported in favor of the passage thereof, without amendment.

Thereupon,

Ordered, That said bill be referred to a select committee to consist of Mr. Emmons, Mr. Williams and Mr. Backus, to consider and report complete.

Mr. Beekman, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to amend an act to incorporate the Buffalo and Niagara Falls Railroad Company, passed 1834," reported the same for the consideration of the Senate.

Thereupon,

On motion of Mr. Emmons,

Ordered, That said bill be referred to the same select committee to consider and report complete.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to authorize the supervisors of the county of Schoharie to levy a tax upon the town of Carlisle, for the relief of James Dana, William Young and David A. Richtmyer," and that said bill be referred to a se-

lect committee to consist of the Senators attending the Senate from the Third Senate District, to consider and report complete.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Prison Association of New-York," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Sanford moved that the Senate do now resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany."

Mr. Beers moved to amend said motion, by substituting the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers
Mr. Johnson

Mr. Lester

Mr. Talcott

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FOR THE NEGATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo

Mr. Emmons
Mr. Folsom
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Sedgwick

Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Wheeler
Mr. Williams
Mr. Young

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Mr. Sedgwick then moved to amend said motion by substituting the bill entitled "An act for the relief of Isaac Thompson and others."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Burnham
Mr. Chamberlain
Mr. Clark

Mr. Emmons
Mr. Mitchell
Mr. Scovil

Mr. Sedgwick
Mr. Spencer
Mr. Wheeler

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FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Folsom	Mr. Sanford	Mr. Young

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Mr. President put the question on agreeing to Mr. Sanford's motion, and it was decided in the affirmative.

The Senate then again resolved itself into a committee of the whole on the said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee, reported progress, and asked for and obtained leave to sit again.

A message was received from the Assembly, informing that they had passed "An act for the relief of John Moot;" also "An act in relation to district attorneys, and to prevent their law partners from acting as counsel in certain cases;" also "An act in relation to the supreme court commissioner residing in the western part of Monroe county;" also "An act relating to the dockets of judgments in the office of the clerk of the city and county of New-York," severally without amendment.

Ordered, That the Clerk deliver the last four mentioned bills to the Governor.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act for draining Jacobus Fly;" also "An act to authorize the supervisors of Rockland county to erect a county building for certain purposes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Second Senate District.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act for the improvement of the State road from Rome to Sackett's Harbor,' passed April 12, 1842," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Fifth Senate District.

Four several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act authorizing a loan from the common school fund to the county of Orleans, for the purpose of building a bridge across Oak Orchard creek at Medina, in the town of Ridgeway;" also "An act to authorize the Commissioners of the Land Office to sell lands to Martin Pope;" also "An act in relation to the fees of county treasurers;" also "An act for the relief of certain purchasers of lands in the second Oneida purchase of 1829" which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on finance.

A message was received from the Assembly, informing that they had reconsidered the vote on the final passage of the bill entitled: "An act to

incorporate the Submarine Telescope Company," and had passed the same with the amendment therewith delivered.

Said amendment having been read,

Mr. President put the question on concurring therein, and it was decided in the affirmative: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young

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Ordered, That the Clerk deliver said bill to the Assembly, and inform them that the Senate have concurred in their said amendment, and have amended said bill accordingly.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to amend an act entitled 'An act to incorporate the Cochection Bridge Company,' passed April 7, 1817," with the amendments therewith delivered, which was referred to the committee on roads and bridges.

Five several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to provide for the completion of building a bridge across the Neversink river in the town of Fallsburgh, in the county of Sullivan, near the store of M. T. Morse & Co.;" also "An act to provide for building a bridge across the Walkill, between the house of John R. Wood and Refton Mills, in the county of Ulster;" also "An act to provide for building a bridge across the Batten Kill, near the residence of Hiram Clark, in the town of Greenwich;" also "An act to authorize the town of Butternuts, to raise money to rebuild bridges;" and also "An act authorizing overseers of highways to construct side walks, and plant or set out trees along the side of highways," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act concerning the Lodi Union School district, and district number one in the village of Owego;" also "An act for the safe keeping and to provide a time for the distribution of the gospel and school fund money in the several towns in the county of Cortland;" and also "An act to authorize the superintendent of common schools to purchase the Transactions of the New-York State Agricultural Society, for the school district libraries," which were severally

read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act for the establishment and regulation of the police of the city of New-York,' passed May 7th, 1844," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the First Senate district.

Four several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to erect the town of Ava, from the west part of the town of Boonville, in the county of Oneida;" also "An act to annex a part of the town of Somers, in the county of Westchester, to the town of New-Castle, in said county;" also "An act to annex a part of lot number fifty-one in the town of Harford, to the town of Virgil, in the county of Cortland;" also "An act to annex a part of the town of York, to the town of Leicester," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act regulating the inspection of hops," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

Four several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act to confirm the official acts of John D. Landon, a justice of the peace;" also "An act to confirm the official acts of Joseph Betts, a justice of the peace;" also "An act to authorize the justices of the peace of the town of Laurens, in the county of Otsego, to appoint the place for holding the special town meeting;" also "An act to amend the act entitled 'An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor, in the several cities in this State, (except the city of New-York,) and in the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn,' passed May 7, 1844," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to reduce the fees of certain officers, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on retrenchment.

A bill was received from the Assembly for concurrence entitled "An act requiring the publication of the names, &c., of persons of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on State Prisons.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the supervisors of Onondaga county to purchase land adjoining the poor house in said county;" also "An act authorizing the supervisors of the county of Cayuga to restore the distinction between town and county poor," which were severally read the first time, and

by unanimous consent were also read a second time, and referred to the committee on poor laws.

Two several bills were received from the Assembly for concurrence, entitled "An act to prevent cheats and frauds at auction;" also "An act to change the name of Michael Hare to Martin Hare," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on grievances.

Six several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act for the relief of Robert Renwick, jr., Zebina Willson, jr., and the heirs of Zebina Willson, late deceased;" also "An act for the relief of Aaron Knapp;" also "An act for the relief of James C. Ott;" also "An act for the relief of A. Seymour, William Coffin, Richard Savage and William L. Harrison;" also "An act for the relief of Andrew Rockwell;" also "An act for the relief of John Whitehead," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on claims.

On motion of Mr. Beers,

The bill from the Assembly in relation to the Dansville slip and basin, was made the special order of the day for Monday morning next, at half past 9 o'clock.

Then the Senate adjourned to 9 o'clock to-morrow morning.

FRIDAY, 9 O'CLOCK, A. M., MAY 1, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The minutes of yesterday having been read and approved,

The special orders were suspended until after the reports of committees.

Mr. Beekman, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of Onondaga county to purchase land adjoining the poor-house in said county," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Beekman, from the same committee, to whom was referred the bill from the Assembly entitled "An act authorizing the board of supervisors of the county of Cayuga to restore the distinction between town and county poor," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Porter, from the committee on finance, to whom was referred two several bills entitled "An act in relation to the fees of county treasurers;" and "An act for the relief of Zenas Higgins," reported in favor of the passage thereof respectively, without amendment, which was agreed to by the Senate, and said bills severally ordered to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom were referred the petition of stockholders of the Farmers Bank of Orleans, for relief, reported adverse to the prayer of the petitioners, which was laid on the table.

Mr. Lester, from the same committee, to whom was referred the bill from the Assembly entitled "An act to reduce the capital stock of the Firemen's Insurance Company in the city of New-York, and for other purposes," reported the same, with amendments, for the consideration of the Senate, which was committed to a committee of the whole.

Thereupon,

On motion of Mr. Jones,

Ordered, That said bill together with nine several bills relative to insurance companies, reported by said committee on the 29th ult., be the special order for to-morrow morning, immediately after the presentation of petitions.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly, entitled "An act for the safe keeping, and to provide a time for the distribution of the gospel and school fund money in the several towns in the county of Cortland," reported in favor of the passage thereof, without amendment, which was laid on the table.

Mr. Sedgwick, from the same committee, to whom was referred the bill from the Assembly entitled "An act concerning the Lodi Union school district, and district number one in the village of Owego," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly, entitled "An act relative to a bridge across the Roeliff Jansen's creek, in the county of Columbia," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act for the benefit and relief of Francis Englishbee," reported the same, with amendments, for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Hand, from the same committee, to whom was referred the bill from the Assembly entitled "An act to change the name of Michael Hare to Martin Hare," reported in favor of the passage thereof, without amendment, which was committed to a committee of the whole.

Mr. Williams, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to amend and revive an act entitled 'An act to incorporate the Utica and Susquehannah Rail-

road Company,' passed April 25, 1832," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Lester from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to limit the period of service in the fire department in the village of Binghamton," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Barlow, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act regulating the inspection of hops," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Cohecton Bridge Company,' passed April 7, 1817," with the amendments of the Assembly thereto, reported in favor of concurring in said amendments.

Thereupon,

Mr. President put the question on concurring in the amendments of the Assembly to said bill, and it was decided in the affirmative: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Johnson	Mr. Scovil
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Ordered, That the Clerk deliver the said bill to the Assembly, and inform them that the Senate have concurred in their amendments to said bill, and have amended the same accordingly.

Mr. Johnson, from the select committee, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of the county of Schoharie to levy a tax upon the town of Carlisle for the relief of James Dana, William Young and David A. Richtmeyer," to consider and report complete, reported the same with amendments, which was laid on the table.

Mr. Talcott, from the select committee, to whom was referred the bill from the Assembly entitled "An act for the relief of Asenath Mou-

gin," reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Emmons, from the select committee, to which was referred two several bills from the Assembly entitled "An act to incorporate the Buffalo and Lancaster Plank Road Company;" also "An act to amend an act to incorporate the Buffalo and Niagara Falls Railroad Company, passed April 1834," to consider and report complete, reported the same severally without amendment, which was agreed to by the Senate, and the bills ordered to a third reading.

On motion of Mr. Clark,

Resolved, That the select committee of the Senate, consisting of Messrs. Clark, Hand and Spencer, to whom it was referred to inquire into the management of, and expenditures on, the Genesee-Valley canal, be discharged from the further consideration of the same.

Mr. Barlow, from the select committee, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act for the improvement of the State road from Rome to Sackett's Harbor,' passed April 12, 1842," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the committee on the militia, to whom was referred the bill from the Assembly entitled "An act for the relief of the Lafayette Horse Guards of the city of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Sedgwick,

The Senate proceeded to the further consideration of the report (complete, with amendments,) of the committee on literature, upon the bill from the Assembly entitled "An act concerning the Natural History of the State of New-York."

After debates thereon, Mr. Putnam moved that the whole subject be laid on the table, and that the usual number of copies of said bill, with the amendments, be printed.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Porter	Mr. Spencer
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. J. B. Smith	Mr. Young
Mr. Hard		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Barlow	Mr. Beekman
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Mr. Burnham
Mr. Denniston
Mr. Deyo
Mr. Folsom
Mr. Johnson

Mr. Lester
Mr. Lott
Mr. Mitchell
Mr. Scovil

Mr. Sedgwick
Mr. Sanford
Mr. Talcott
Mr. Wheeler

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Mr. Putnam then moved that said bill and amendments be committed to a committee of the whole.

Mr. Clark moved that the present and all intervening orders of business be laid on the table, and that the Senate resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to reduce the expenses of canal repairs."

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons
Mr. Hard

Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam

Mr. Scovil
Mr. J. B. Smith
Mr. Spencer
Mr. Wheeler

13

FOR THE NEGATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Folsom
Mr. Johnson
Mr. Lester
Mr. Porter
Mr. Sedgwick

Mr. Sanford
Mr. S. Smith
Mr. Talcott
Mr. Williams
Mr. Young

16

Mr. President put the question on agreeing to said first motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Chamberlain
Mr. Emmons
Mr. Hard

Mr. Porter
Mr. Putnam
Mr. Spencer

Mr. Williams
Mr. Young

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FOR THE NEGATIVE.

Mr. Backus
Mr. Barlow

Mr. Beekman
Mr. Burnham

Mr. Denniston
Mr. Deyo

Mr. Folsom
Mr. Johnson
Mr. Lester
Mr. Lott

Mr. Scovil
Mr. Sedgwick
Mr. Sanford

Mr. S. Smith
Mr. Talcott
Mr. Wheeler

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Thereupon,

The first amendment reported by the said committee was read in the words following :

Strike out the second section of said bill and insert in lieu thereof the following :

§ 2. Any person, corporation or association other than such as purchased from the several county treasurers of this State, under the act entitled "An act in relation to the Natural History of New-York," passed May 3d, 1844, who shall, within one year from the passage of this act, prove to the satisfaction of the Governor and Secretary of State, that he, she or they are the actual and bona fide owners of the first volume, or of any of the consecutive volumes beginning with and including the first, of the Natural History of this State, shall be entitled to purchase from said Secretary the remaining volumes necessary to complete such imperfect sets of said Natural History, now published and which shall hereafter be published, together with the map accompanying the same, at the price of one dollar per volume and one dollar for said map ; but no person who shall become such owner of the said first volume or of any of the said consecutive volumes, beginning with and including the first as aforesaid, under the fifth section of the act entitled "An act relating to the geological survey of the State," passed April 9th, 1842, shall be entitled to such remaining volumes, except upon payment of one dollar per volume for all such previous volumes of which he shall have become the owner as aforesaid.

Mr. Williams moved to amend said amendment, by striking out in the twelfth line, the words "one dollar per volume," and inserting "two dollars per volume."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Hand
Mr. Jones
Mr. Lester

Mr. Porter
Mr. Putnam
Mr. Talcott

Mr. Williams
Mr. Young

8

FOR THE NEGATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman

Mr. Burnham
Mr. Chamberlain
Mr. Clark

Mr. Denniston
Mr. Deyo
Mr. Emmions

Mr. Folsom
Mr. Hard
Mr. Johnson
Mr. Lott

Mr. Mitchell
Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith

Mr. S. Smith
Mr. Spencer
Mr. Wheeler

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Mr. President then put the question on agreeing to the aforesaid amendment proposed by said committee, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Burnham
Mr. Chamberlain
Mr. Denniston

Mr. Deyo
Mr. Emmons
Mr. Folsom
Mr. Hard
Mr. Johnson
Mr. Mitchell

Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith
Mr. Spencer
Mr. Wheeler

17

FOR THE NEGATIVE.

Mr. Clark
Mr. Jones
Mr. Lester

Mr. Porter
Mr. Putnam
Mr. S. Smith

Mr. Talcott
Mr. Williams
Mr. Young

9

Then the second amendment reported by the said committee was read in the words following, to wit :

Insert as a new section the following :

§ 5. It shall be the duty of the several county treasurers of this State, in selling the volumes of the Natural History of New-York, in pursuance of the act entitled "An act in relation to the Natural History of New-York," passed May 3d, 1844, to sell and deliver the volumes of said Natural History, first to any such person or association as shall, within six months after such treasurer shall have received hereafter the several volumes of said Natural History, prove to the satisfaction of said treasurer that he, she or they are the present bona fide owners of the preceding volumes of said Natural History, sold under the said act of May 3d, 1844, by the treasurer of the same county to whom application shall be made.

Mr. Williams moved to amend the last mentioned amendment by adding to the end thereof, the following : " at the rate of three dollars per volume, and, if said volumes are not applied for, as above provided, then the said treasurer shall give public notice in not less than two of the public newspapers published in the county, if so many are published therein, at least for four weeks of the time and place, where and when he will offer at public auction the several volumes remaining on hand, and shall at such time and place sell to the highest bidder each remaining volume."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Putnam	Mr. Young	
Mr. Lester	Mr. Williams		5

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Mitchell	
Mr. Barlow	Mr. Emmons	Mr. Sedgwick	
Mr. Chamberlain	Mr. Folsom	Mr. J. B. Smith	
Mr. Clark	Mr. Hard	Mr. Spencer	
Mr. Denniston	Mr. Johnson	Mr. Wheeler	15

Mr. Williams then moved to amend said report by striking out the whole of the said second amendment.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Williams	Mr. Young	
Mr. Putnam			4

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick	
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Johnson	Mr. Spencer	
Mr. Clark	Mr. Mitchell	Mr. Wheeler	
Mr. Deyo	Mr. Porter		14

Mr. J. B. Smith moved to amend said report by striking out at the end of the second section of said bill the words, "at such price as they may deem expedient," and insert in lieu thereof, "at the price of one dollar per volume and one dollar for said map."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

Mr. Putnam moved that the question of agreeing with the report of the said committee, as amended, be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Putnam	Mr. Williams	Mr. Young	3
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FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford	
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith	
Mr. Beekman	Mr. Lott	Mr. S. Smith	
Mr. Chamberlain	Mr. Mitchell	Mr. Spencer	
Mr. Denniston	Mr. Porter	Mr. Talcott	
Mr. Deyo	Mr. Sedgwick	Mr. Wheeler	
Mr. Emmons			19

Mr. President put the question on agreeing to the said report, as amended, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick	
Mr. Barlow	Mr. Folsom	Mr. Sanford	
Mr. Burnham	Mr. Hard	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Johnson	Mr. Spencer	
Mr. Denniston	Mr. Mitchell	Mr. Wheeler	
Mr. Deyo			16

FOR THE NEGATIVE.

Mr. Beekman	Mr. Putnam	Mr. Williams	
Mr. Jones	Mr. S. Smith	Mr. Young	
Mr. Porter			7

Mr. Hand, Mr. Lott and Mr. Clark were excused from voting on the last question of agreeing to said report, and Mr. Denniston was not excused from voting.

Mr. Talcott asked to be excused from voting on said question of agreeing to the said report.

Mr. President put the question on excusing Mr. Talcott, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Lott
Mr. Beekman	Mr. Lester	Mr. Porter

Mr. Putnam	Mr. Spencer	Mr. Williams	
Mr. S. Smith	Mr. Wheeler	Mr. Young	12

FOR THE NEGATIVE.

Mr. Barlow	Mr. Deyo	Mr. Jones	
Mr. Burnham	Mr. Folsom	Mr. Mitchell	
Mr. Chamberlain	Mr. Johnson	Mr. Sedgwick	9

Thereupon,

Ordered, That the said amendments be engrossed and the bill to a third reading.

The Assembly examined and returned the engrossed bill entitled "An act to incorporate the Submarine Telescope Company."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to consolidate and amend the act to incorporate the village of Lockport, passed March 26, 1829, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Eighth Senate District, to report complete.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Malcom N. Hawkins," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled "An act to amend an act to incorporate the village of Dansville," passed May 7, 1845, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to regulate bank issues;" also "An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the German Young Men's Association of the city of Buffalo," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled "An act to change the name of Catherine P. Moffitt, to Catharine P. Starkey," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled "An act to authorize the appointment of a supreme court commissioner to reside at Sackett's Harbor, in the county of Jefferson," which was read

the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to provide for the construction of a railroad from Schenectady to the New-York and Erie Railroad, in the county of Chenango or Broome," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom were referred two several bills from the Assembly with the following titles, to wit: "An act to repeal the act incorporating the village of Westfield, in the county of Chautauque;" also "An act to amend an act entitled 'An act relative to the city of Brooklyn,' passed April 28, 1845," reported the same severally without amendment, which was agreed to by the Senate, and said bills ordered to a third reading.

Mr. Beers, from the same committee, to whom was referred the bill from the Assembly entitled "An act to incorporate a fire company at Matteawan, in the county of Dutchess," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Beers, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend the act incorporating the village of Saratoga Springs, passed April 17, 1826," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Beers,

Said committee was discharged from the further consideration of the bill from the Assembly entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice in the village of Saratoga Springs,' passed May 14, 1845," and said bill was ordered to a third reading.

Mr. Hard moved that the present and all intervening orders of business be laid on the table, and that the Senate do now take the question on the motion heretofore offered by him to reconsider the vote on the final passage of the engrossed bill entitled "An act for the relief of the Auburn and Rochester Railroad Company."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Folsom

Mr. Hand
Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam

Mr. Scovil
Mr. Sanford
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Young

FOR THE NEGATIVE.

Mr. Barlow	Mr. Burnham	Mr. Sedgwick	3
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Mr. President put the question on agreeing to said motion to reconsider, and it was decided in the affirmative.

Debates being had but without taking the question on the final passage of said bill, Mr. Beers moved to lay the same on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers			1
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FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam	
Mr. Beekman	Mr. Folsom	Mr. Sanford	
Mr. Chamberlain	Mr. Hard	Mr. S. Smith	
Mr. Clark	Mr. Jones	Mr. Williams	
Mr. Denniston	Mr. Lott	Mr. Young	
Mr. Deyo	Mr. Mitchell		17

On motion of Mr. Hard,

Ordered, That there be a call of the Senate.

On a call of the Senate, the following Senators answered to their names.

Mr. Backus	Mr. Hand	Mr. Sanford	
Mr. Beekman	Mr. Hard	Mr. J. B. Smith	
Mr. Beers	Mr. Jones	Mr. S. Smith	
Mr. Chamberlain	Mr. Lester	Mr. Spencer	
Mr. Clark	Mr. Lott	Mr. Talcott	
Mr. Denniston	Mr. Mitchell	Mr. Wheeler	
Mr. Deyo	Mr. Porter	Mr. Williams	
Mr. Emmons	Mr. Putnam	Mr. Young	
Mr. Folsom	Mr. Sedgwick		26

On motion of Mr. Hand,

Ordered, That all further proceeding on said call be suspended.

Mr. President put the question on the final passage of said bill, and the same was passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Beekman	Mr. Burnham
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Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Folsom
Mr. Hand

Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Putnam
Mr. Scovil
Mr. Sanford

Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Young

23

FOR THE NEGATIVE.

Mr. Barlow
Mr. Beers

Mr. Johnson
Mr. Lester

Mr. Sedgwick

5

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

A message was received from the Governor, informing that he had, on the 30th ultimo, approved and signed the bill entitled "An act in relation to district attorneys, and to prevent their law partners from acting as counsel in certain cases;" also "An act relating to the supreme court commissioner residing in the western part of Monroe county;" also "An act relating to the dockets of judgments in the office of the clerk of the city and county of New-York;" and the bill entitled "An act for the relief of John Moot. Also, this day, the bill entitled "An act to incorporate the Submarine Telescope Company."

The report of the Canal Commissioners on the petition of Daniel Knight, was received, read and referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 132.]

By unanimous consent,

Mr. Hand offered the following resolution, which was laid on the table, to wit:

Resolved, That at two o'clock this afternoon, the Senate take a recess till 4 o'clock, P. M., and that the several bills relating to the State prisons be made the special order for this afternoon.

Then the Senate adjourned to 9 o'clock to-morrow morning.

SATURDAY, 9 O'CLOCK, A. M., MAY 2, 1846

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The minutes of Saturday having been read and approved,

The Assembly examined and returned a bill entitled "An act to amend an act entitled 'An act to incorporate the Cochection Bridge Company,' passed April 7, 1817."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly entitled "An act authorizing the mayor and common council of the city of Brooklyn to create a loan for the purpose of building a city hall in said city," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly for concurrence, "An act to incorporate the Johannis benis Israel Society of the city of New-York;" also "An act to incorporate the Pine Wood Cemetery," which were read the first time, and by unanimous consent were also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled "An act to provide for destroying Canada thistles and other noxious weeds along the several railroads of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on agriculture.

Mr. Lester presented the petition of inhabitants of Ontario county, that the Auburn and Rochester Railroad Company may be made suable in justices' courts, which was laid on the table.

By unanimous consent,

The special order of the day was suspended until after the reports of committees.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Lorenzo Bates," reported against the passage thereof, which was committed to a committee of the whole.

On motion of Mr. Johnson,

Ordered, That the committee on claims be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Andrew Rockwell," and that said bill, with the papers relating thereto, be referred to the Canal Board for their report; and especially that said board report the reasons for the rejection of the claim of said Rockwell, as set forth in his petition, for prospective profits, and also that they report the facts in relation to the stone mentioned in said petition.

On motion of Mr. Sedgwick,

The bill from the Assembly entitled "An act to authorize the su-

pervisors of Onondaga county, to purchase land adjoining the poor house in said county," was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Wheeler, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Daniel Knight," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. S. Smith, from the committee on the division of towns and counties, to whom were referred two several bills from the Assembly entitled "An act to annex a part of the town of Somers, in the county of Westchester, to the town of New-Castle, in said county;" also "An act to erect the town of Ava, from the west part of the town of Boonville, in the county of Oneida," reported in favor of the passage thereof respectively, without amendment, which was agreed to by the Senate, and said bills severally ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly, entitled "An act to authorize the town of Butternuts, to raise money to build bridges," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Folsom, from the committee on literature, to whom was referred the bill from the Assembly, entitled "An act to authorize the superintendent of common schools to purchase the Transactions of the New-York State Agricultural Society, for the school district libraries," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Sedgwick, from the same committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the German Young Men's Association of the city of Buffalo," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom were referred three several bills from the Assembly entitled "An act to authorize the appointment of a supreme court commissioner to reside at Sackett's Harbor, in the county of Jefferson;" also "An act in relation to the stay of proceedings by bills of exceptions in actions of ejectment;" also "An act in relation to imprisonment of attorneys and others upon execution," reported in favor of the passage of said bills, with amendments thereto respectively, which was agreed to by the Senate, and said amendments severally ordered engrossed, and the said bills to a third reading.

Mr. Lott, from the same committee, to whom were referred three several bills from the Assembly entitled "An act to vest the title to certain lands in the trustees of the First Universalist Society of the town of Busti;" also "An act to authorize the justices of the peace of the town of Laurens, in the county of Otsego, to appoint the place for holding the special town meeting;" also "An act to confirm the official acts of Joseph Betts, a justice of the peace;" reported against the passage

thereof respectively, which were severally committed to a committee of the whole.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors," to consider and report complete, reported the same complete, with amendments, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The Assembly returned the bill entitled "An act providing for a registry of births, marriages and deaths," with a message informing that they do not concur in the passage thereof.

Mr. Lester moved that the bill from the Assembly, entitled "An act to regulate the price for transporting freight on the Tonawanda railroad," be referred to the committee on railroads, to consider and report complete.

Mr. Backus moved that the said bill be committed to a committee of the whole.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus

1

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Scovil	
Mr. Beekman	Mr. Hard	Mr. Sanford	
Mr. Beers	Mr. Johnson	Mr. J. B. Smith	
Mr. Burnham	Mr. Jones	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
Mr. Emmons	Mr. Porter	Mr. Wheeler	
Mr. Folsom	Mr. Putnam	Mr. Young	21

Mr. President put the question on agreeing to the motion of Mr. Lester, first above mentioned, and it was decided in the affirmative.

Mr. Beers from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act authorizing the mayor and common council of the city of Brooklyn, to create a loan for the purpose of building a city hall in said city," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to amend an act to incorporate the Kings County Mutual Insurance Company," passed April 15, 1844, reported against the passage thereof, which was laid on the table.

Mr. Hand, from the committee on grievances, to whom were referred

the petitions and other papers, relative to changing the name of Esopus, Ulster county, to Riverside, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to change the name of Catharine P. Moffitt, to Catharine P. Starkey," reported against the passage thereof, which was laid on the table.

Mr. Hand, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize Harrison Stephens, to take, hold and convey real estate," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hand, from the same committee, to whom was referred the bill from the Assembly entitled "An act to prevent cheats and frauds at auction," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Putnam, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of John D. Landon, a justice of the peace," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to alter the terms of the county courts of the county of Chemung," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Hand, from the committee on State prisons, to whom was referred the bill from the Assembly entitled "An act requiring the publication of the names of persons pardoned by the Executive of this State," reported against the passage thereof, which report was agreed to by the Senate.

Thereupon,

Resolved, That the said bill do not pass.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate do not concur in the passage thereof.

Mr. Spencer, from the select committee, to whom was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company in the city of Albany,'" to consider and report complete, reported the same complete, with an amendment, which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Lott, from the select committee, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act for the establishment and regulation of the police of the city of New-York,' passed May 7th, 1844," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

A bill was received from the Assembly entitled "An act in relation to documentary evidence," with a message, informing that they non-concur in the amendment of the Senate to the said bill, and request a committee of conference; and in case the Senate consent to such committee, that Mr. Harris, Mr. Cornwell, Mr. Grinnell, Mr. Pierce and Mr. Walbridge be such committee on the part of the House.

Thereupon,

Resolved, That the Senate do agree to the appointment of such committee of conference.

Ordered, That Mr. Lott, Mr. Putnam and Mr. Hand be of the said committee on the part of the Senate.

Mr. Barlow moved that the present and all intervening orders of business be suspended, for the purpose of moving that the committee of the whole be discharged from the further consideration of the bill entitled "An act to prevent frauds in inspection in the county of Erie," and that the same be engrossed for a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sanford
Mr. Beekman	Mr. Lester	Mr. Spencer
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Folsom	Mr. Porter	Mr. Williams
Mr. Hand	Mr. Sedgwick	
		14

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven
Mr. Burnham	Mr. Mitchell	Mr. Young
Mr. Chamberlain		
		10

Mr. Barlow then moved that the committee of the whole be discharged from the further consideration of the said bill, and that the same be engrossed for a third reading.

Mr. President put the question on agreeing to the motion last mentioned, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Lester	Mr. S. Smith
Mr. Beekman	Mr. Lott	Mr. Spencer
Mr. Hand	Mr. Porter	Mr. Talcott
Mr. Johnson	Mr. Sanford	Mr. Williams
Mr. Jones		
		13

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Young
Mr. Emmons	Mr. Putnam	11

By unanimous consent,

Mr. Talcott presented the petition of stockholders of the New-York Fire Insurance Company, for the passage of the bill to amend the act incorporating said company, which was read and referred to the committee on banks and insurance companies.

Mr. Hard, from the select committee, to which was referred the bill from the Assembly entitled "An act to consolidate and amend the act to incorporate the village of Lockport, passed March 26, 1829, and the several acts amendatory thereof," to report complete, reported the same complete without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent,

On motion of Mr. Williams,

Resolved, That on and after Monday next the Senate will take a recess at half past one o'clock, P. M., and meet again at half past three o'clock, P. M.

Mr. Hard asked the unanimous consent of the Senate to offer the following resolution.

Resolved, That the bill entitled "An act to incorporate the New-York and Connecticut Railroad Company," be recommitted to the railroad committee, to report complete.

Mr. Jones objected.

Mr. Hard then moved that the present and all intervening orders of business be laid on the table, to enable him to offer said resolution.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Chamberlain	Mr. Putnam	Mr. Williams
		9

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. Sanford
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Folsom	Mr. Mitchell	Mr. Young
Mr. Hand	Mr. Porter	14

Mr. Hard then moved that the present and all intervening orders of business be laid on the table, and that the Senate resolve itself into a committee of the whole on the said bill.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Williams
Mr. Hand	Mr. S. Smith	8

FOR THE NEGATIVE.

Mr. Beekman	Mr. Lester	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. J. B. Smith
Mr. Folsom	Mr. Mitchell	Mr. Talcott
Mr. Johnson	Mr. Porter	Mr. Young
Mr. Jones	Mr. Sedgwick	14

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of the ten several bills from the Assembly entitled "An act for the benefit of the Jefferson Insurance Company in the city of New-York ;" also "An act for the benefit of the North American Fire Insurance Company;" also "An act for the benefit of the United States Fire Insurance Company in the city of New-York ;" also "An act for the benefit of the Howard Insurance Company of New-York ;" also "An act for the benefit of the Eagle Fire Company of New-York, in the city of New-York ;" also "An act for the benefit of the New-York Contributionship Insurance Company ;" also "An act for the benefit of the Merchants' Fire Insurance Company ;" also "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York ;" also "An act for the benefit of the Manhattan Fire Insurance Company in the city of New-York ;" also "An act to reduce the capital stock of the Firemen's Insurance Company in the city of New-York, and for other purposes," with the amendments to said bills respectively, reported by the committee on banks and insurance companies.

Thereupon,

The said amendments were severally agreed to by the Senate, and ordered engrossed, and the said bills severally ordered to a third reading.

On motion of Mr. Sanford,

The present and all intervening orders of business were laid on the table, and he thereupon moved that the committee of the whole be discharged from the further consideration of the bill from the Assembly en-

titled "An act to change the corporate name of the Mutual Insurance Company of the city of New-York, and to reduce its capital," and that said bill together with the engrossed bill entitled "An act in relation to the New-York Equitable Insurance Company, be recommitted to the committee on banks and insurance companies, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Porter	Mr. Wheeler
Mr. Folsom	Mr. Sedgwick	Mr. Young

21

FOR THE NEGATIVE.

Mr. Williams

1

On motion of Mr. Sanford,

The engrossed bill entitled "An act for the reduction of the stock of the National Fire Insurance Company in the city of New-York," was recommitted to the same committee to report complete.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed three several bills entitled "An act to prevent frauds in inspection in the county of Erie;" also "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company in the city of Albany,'" passed April 12, 1844, also "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors," which were severally ordered to a third reading.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to amend an act entitled 'An act to incorporate the Cohecton Bridge Company,' passed April 17th, 1817."

On motion of Mr. Mitchell,

The committee of the whole was discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Seymour N. Marsh," and said bill was ordered to a third reading.

Mr. Van Schoonhoven moved to lay the present and all intervening orders of business on the table, to enable him to make a motion relative to private claims,

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Porter	Mr. Williams
		18

FOR THE NEGATIVE.

Mr. S. Smith	Mr. Young	2
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Mr. Van Schoonhoven then moved that private claims be the special order of the day for Monday and Tuesday next, after the hour of 12 o'clock, M., instead of Thursday and Friday.

Mr. Beers moved to amend by striking out of said motion the words "private claims," and inserting, in lieu thereof, the words "the several bills relating to distress for rent, tenures, &c.;" also by striking out "12 o'clock, M.," and inserting "10 o'clock, A. M."

Mr. President put the question on agreeing to said last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. Porter
Mr. Beers	Mr. Hard	Mr. Young
Mr. Denniston	Mr. Lester	
		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Lott	Mr. Spencer
Mr. Barlow	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Sedgwick	Mr. Wheeler
Mr. Emmons	Mr. J. B. Smith	Mr. Williams
Mr. Folsom	Mr. S. Smith	
		14

Mr. President then put the question on agreeing to the said first motion, and it was decided in the affirmative.

By unanimous consent,

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to prevent the destruction of oysters in the waters of Richmond county,"

and that the same be referred to a select committee, to consist of the Senators attending the Senate from First Senate District, to consider and report complete.

On motion of Mr. Hand,

Ordered, That the bill entitled "An act to provide for the construction of a railroad and slack water navigation, from or near Port-Kent on Lake Champlain, to Boonville," be the special order of the day for Wednesday morning, immediately after the reports of committees.

On motion of Mr. J. B. Smith,

Ordered, That the present and all intervening orders be laid on the table, and that the Senate proceed to the third reading of bills.

Mr. Chamberlain moved that the question on the final passage of the engrossed bill entitled "An act in relation to the collection of militia fines," be taken on Tuesday morning next without debate.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Porter	Mr. Young
		21

FOR THE NEGATIVE.

Mr. Williams

1

On motion of Mr. Jones,

Ordered, That the question on the final passage of the bill entitled "An act in relation to the Albany Basin," be taken on Tuesday morning next at 10 o'clock, without debate.

The bill from the Assembly entitled "An act concerning the Natural History of the State of New-York," with the engrossed amendments, was read the third time.

Mr. Williams moved to recommit said bill to the committee on literature.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Williams	Mr. Young	3
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FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Barlow	Mr. Lester	Mr. S. Smith
Mr. Chamberlain	M. Mitchell	Mr. Spencer
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Emmons	Mr. Sedgwick	Mr. Wheeler
Mr. Folsom	Mr. Sanford	

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Mr. President put the question on the final passage of said bill, and it was passed.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Spencer
Mr. Barlow	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Beers	Mr. Porter	Mr. S. Smith
Mr. Jones	Mr. Sanford	Mr. Williams
Mr. Lester	Mr. J. B. Smith	Mr. Young

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The bill from the Assembly entitled "An act concerning the office of district attorney of the county of Allegany," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally, with the amendments therewith delivered.

The bill from the Assembly entitled "An act for the relief of Seymour N. Marsh," was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The engrossed bill entitled "An act for the relief of Amos Kingsley and Archibald Campbell;" also "An act to provide for building a bridge across the Genesee-Valley Canal, at Clay-street in the city of Rochester;" also "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors," were severally read the third time and passed.

Mr. President put the question on the final passage of the engrossed bill, entitled 'An act in relation to the jurisdiction of the justices' court,' and it was passed.

Mr. President put the question on the final passage of the engrossed bill entitled "An act for the relief of John Ferris, Thomas Marvin and Charles R. Hopper," and it was passed.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to defray the expenses incurred in the apprehension of certain criminals," and it was passed.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to divide the town of Westchester, in the county of Westchester," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Emmons	Mr. Porter	Mr. Williams
Mr. Folsom	Mr. Sedgwick	Mr. Young
Mr. Hand		

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The engrossed bill entitled "An act to authorize the commissioners of highways in the town of Flatbush, in Kings county, to widen a road therein mentioned," was read the third time and passed.

The engrossed bill entitled "An act in relation to the service and publication of notices, and the publication of the Session Laws," was read the third time and passed.

Ordered, That the Clerk deliver the last nine mentioned bills to the Assembly, and request their concurrence in the same respectively.

A copy of a resolution was received from the Assembly, informing that they had concurred in the resolution of the Senate of the 31st of March last, relative to the annual bill, usually termed the supply bill.

A bill was received from the Assembly for concurrence entitled "An act in relation to the assessment and collection of taxes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

By unanimous consent,

On motion of Mr. Sedgwick,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe," and that the same be committed to the committee on claims, to consider and report complete.

By unanimous consent,

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor, in the several cities in this State, (except the city of New-York,) and in the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn,' passed

May 7, 1844," reported in favor of the passage of the same, which was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent,

On motion of Mr. S. Smith,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to repeal 'An act for the preservation of fish in the Hudson River,' passed March 22d, 1845," and that the same be referred to a select committee, consisting of the Senators attending the Senate from the Second Senate District, to consider and report complete.

Mr. Hand moved that the Senate take a recess, and meet again this afternoon, at 4 o'clock, for the purpose of considering, in committee of the whole, the bill entitled "An act to build an armory for the guards at Auburn State Prison, and for other purposes," and four other bills relative to the State prisons.

Mr. Jones moved that the Senate do now adjourn.

Mr President put the question on agreeing to said last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Mitchell	Mr Van Schoonhoven
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom	Mr. Sanford	Mr. Young
Mr. Hard		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Porter
Mr. Beers	Mr. Lester	Mr. S. Smith

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The Senate adjourned to 9 o'clock on Monday morning.

MONDAY, 9 O'CLOCK, A. M., MAY 4, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Conroy.

The minutes of Saturday having been read and approved,

Mr. Beers, from the committee on the incorporation of cities and villages, to whom were referred two several bills from the Assembly entitled "An act in relation to the city of Brooklyn and the Brooklyn and Jamaica Railroad Company;" also "An act in relation to Flushing Avenue in the city of Brooklyn," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the said several bills ordered to a third reading.

Mr. Beers, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act vesting certain powers in the freeholders and inhabitants of the village of Waterford,' passed March 28th, 1805, and for other purposes," re-reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act authorizing a loan from the common school fund to the county of Orleans, for the purpose of building a bridge across Oak Orchard creek at Medina, in the town of Ridgeway," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Porter, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize the commissioners of the Land-Office to sell lands to Martin Pope," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Deyo, from the committee on roads and bridges, to whom were referred two several bills from the Assembly entitled "An act to provide for building a bridge across the Walkill, between the house of John R. Wood and Reston Mills, in the county of Ulster;" also "An act to provide for the completion of building a bridge across the Neversink river in the town of Fallsburgh, in the county of Sullivan, near the store of M. T. Morse & Co.," reported in favor of the passage thereof respectively, without amendment, which was agreed to by the Senate, and said bills severally ordered to a third reading.

Mr. J. B. Smith, from the committee on agriculture, to whom was referred the bill from the Assembly, entitled "An act to provide for destroying Canada thistles and other noxious weeds along the several railroads of this State," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Buffalo Savings Institution," reported in favor of the

passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the same committee, to whom was referred the bill from the Assembly entitled "An act to regulate bank issues," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the same committee, to whom was referred the bill from the Assembly entitled "An act further to amend an act entitled 'An act to incorporate the New-York Fire Insurance Company of the city of New-York,' passed April 18, 1832," reported against the passage thereof.

Mr. Jones moved that said bill be referred to a select committee to consider and report complete.

Mr. Johnson then moved to lay said motion on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hard	Mr. Porter	
Mr. Beers	Mr. Johnson	Mr. S. Smith	
Mr. Denniston	Mr. Lester	Mr. Williams	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick	
Mr. Burnham	Mr. Jones	Mr. Sanford	
Mr. Chamberlain	Mr. Lott	Mr. J. B. Smith	
Mr. Emmons	Mr. Putnam	Mr. Young	12

Mr. President then put the question on agreeing to said first motion, and it was decided in the affirmative.

Mr. President announced, and thereupon

Ordered, That Mr. Jones, Mr. Lester and Mr. Spencer, be such committee.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act for the relief of the owners of the land adjoining the bed of the old Erie Canal, at and near the village of Cohoes," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to provide for the construction of a railroad from Schenectady to the New-York and Erie Railroad, in the county of Chenango or Broome," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Pine Wood Cemetery," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Johnson,

Ordered, That the usual number of copies of said bill be printed.

Mr. Hand, from the committee on grievances, to whom was referred the petition of sundry inhabitants of Euphrata, in Fulton county, "getters out of staves," for the passage of a law making 99 and 1 staves, 100, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. S. Smith, from the select committee, consisting of the Senators attending the Senate from the Second Senate district, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of Rockland county to erect a county building for certain purposes," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Deyo, from the same committee, to whom was referred the bill from the Assembly entitled "An act for draining Jacobus Vly" reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard asked for, and by unanimous consent obtained, leave to bring in a bill entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14th, 1845, and for other purposes," which was read the first time, and by unanimous consent was also read a second time.

Mr. Hard moved that the said bill be referred to the committee on railroads, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Beers	Mr. Folsom	Mr. Sedgwick
Mr. Burnham	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Johnson	Mr. Wheeler
Mr. Clark	Mr. Lott	Mr. Williams

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FOR THE NEGATIVE.

Mr. Deyo	Mr. Hand	Mr. Jones
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Mr. Porter
Mr. Scovil

Mr. Sanford
Mr. S. Smith

Mr. Young

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By unanimous consent,
On motion of Mr. Backus,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorize the establishment of an asylum for idiots," and that the same be referred to a select committee, to consist of one Senator attending the Senate from each Senate District, to consider and report complete.

The President announced, and thereupon,

Ordered, That Mr. Backus, Mr. Porter, Mr. Chamberlain, Mr. Barlow, Mr. Hand, Mr. Van Schoonhoven, Mr. S. Smith and Mr. Sanford, be such committee.

On motion of Mr. Folsom,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend an act to incorporate the stockholders of the Livingston county High School Association," passed March 10th, 1827, and the said bill to a third reading.

On motion of Mr. J. B. Smith,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to repeal the act entitled 'An act to improve the post road running from the Elephant Hotel, in the town of Somers, to the village of Peekskill, passed May 13, 1845,' and for other purposes," and the said bill to a third reading.

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the report (complete) of the committee on manufactures upon two several bills with the following titles, to wit: "An act to incorporate the Troy Vulcan Works;" also "An act to incorporate the Troy Gas Light Company."

Mr. Van Schoonhoven moved to amend the report of said committee by striking out the ninth section of said first mentioned bill, which was read in the words following, to wit:

§ 9. The stockholders of said company shall be jointly and severally personally liable for all debts incurred or contracted by said company whilst they shall be stockholders thereof; but no suit shall be brought against any stockholder or stockholders for the recovery of any such debt until after an execution shall have been returned unsatisfied in whole or in part upon a judgment recovered therefor in a suit brought against said company in their corporate capacity.

Debates being had thereon to the hour of 10,

Mr. Beers called for the execution of the special order.

On motion of Mr. Clark,

Ordered, That the special order be suspended.

Further debates being had, but without taking the question on said amendment,

The Assembly returned the bill entitled "An act to build and repair two certain roads in the towns of Moriah and Elizabethtown in the county of Essex," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned three several bills with the following titles, to wit: "An act for the relief of Thomas Beavan;" also "An act for the relief of Thomas Beach Clarke, and to authorize the collection of taxes in the town of Williamsburgh;" also "An act concerning the office of district attorney of the county of Allegany," with a message informing that they had concurred in the amendments of the Senate thereto respectively, and had amended the same accordingly.

The said several amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14th, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Clark presented the remonstrance of citizens of Easton and Greenwich, against taxing said towns to build a bridge across the Battenkill, which was read and referred to the committee on roads and bridges.

Mr. Beers moved that the Senate do now resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the Canal Board to assume, in behalf of the State, the Dansville slip and basin."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Young
Mr. Deyo	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Scovil	Mr. Van Schoonhoven
Mr. Clark	Mr. Sedgwick	Mr. Wheeler

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The Senate then resolved itself into a committee of the whole on the said bill, and after some time spent thereon, Mr. President resumed the

chair, and Mr. Sedgwick, from said committee, reported progress, and asked for and obtained leave to sit again.

The hour of half past one having arrived, Mr. Van Schoenhoven called for the execution of the order for a recess.

Mr. Porter moved that said special order be suspended.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. S. Smith
Mr. Barlow	Mr. Hand	Mr. Spencer
Mr. Beekman	Mr. Hard	Mr. Talcott
Mr. Beers	Mr. Johnson	Mr. Williams
Mr. Denniston	Mr. Lester	Mr. Young
Mr. Emmons	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Putnam	Mr. J. B. Smith
Mr. Chamberlain	Mr. Scovil	Mr. Van Schoenhoven
Mr. Clark	Mr. Sedgwick	Mr. Wheeler
Mr. Lott	Mr. Sanford	

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Mr. Denniston then moved that said committee of the whole be discharged from the further consideration of said bill, and that the same be referred to a select committee, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Porter
Mr. Barlow	Mr. Emmons	Mr. S. Smith
Mr. Beekman	Mr. Hand	Mr. Talcott
Mr. Beers	Mr. Hard	Mr. Williams
Mr. Denniston	Mr. Johnson	Mr. Young

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Lott	Mr. Sanford
Mr. Chamberlain	Mr. Putnam	Mr. J. B. Smith
Mr. Clark	Mr. Scovil	Mr. Van Schoenhoven
Mr. Jones	Mr. Sedgwick	Mr. Wheeler

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The President announced, and thereupon,
Ordered, That Mr. Denniston, Mr. Lott and Mr. Backus, be such committee.

Then the Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

And the President and President pro tem., being absent,

On motion of Mr. Beers,
 Senator Hand was called to the chair.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to build and repair two certain roads in the towns of Moriah and Elizabethtown, in the county of Essex."

A bill was received from the Assembly for concurrence entitled "An act to amend chapter two hundred and seventy-nine of the laws of eighteen hundred and forty-four," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on medical societies and medical colleges.

A report from the Canal Board in answer to a resolution of the Senate, on the bill from the Assembly entitled "An act for the relief of Andrew Rockwell," was received, read and referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 134.]

A report from the Canal Commissioners on the bill from the Assembly, was received, read and referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 133.]

Mr. Backus, from the select committee of eight, to whom was referred the bill entitled "An act to authorize the establishment of an asylum for idiots," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

The President pro tem. of the Senate having arrived, resumed the chair.

Mr. S. Smith, from the select committee, consisting of the Senators

attending the Senate from the Second Senate District, to whom was referred the bill from the Assembly entitled "An act to repeal 'An act for the preservation of fish in the Hudson River,' passed March 22d, 1845," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent,

Mr. Beers offered the following resolution.

Resolved, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Cornelia L. Lillie and Eben A. Mall," and that the Senate agree with the report of the committee on the judiciary against the passage of the said bill.

Mr. President put the question on agreeing to said resolution, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Denniston	Mr. Jones	Mr. Talcott
Mr. Deyo	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Porter	Mr. Young
Mr. Folsom	Mr. Putnam	

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FOR THE NEGATIVE.

Mr. Beckman	Mr. Lester	Mr. S. Smith
Mr. Haas	Mr. J. B. Smith	Mr. Van Schoonhoven

6

Thereupon,

Resolved, That the said bill do not pass.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate do not concur in the passage thereof.

On motion of Mr. J. B. Smith,

The bill from the Assembly entitled "An act to repeal the act entitled 'An act to improve the post road running from the Elephant Hotel, in the town of Somers, to the village of Peekskill,' passed May 13, 1845, and for other purposes," was read the third time and laid on the table.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14, 1845," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard asked the unanimous consent of the Senate to offer a resolution referring sundry bills relative to railroads to a select committee, to report complete.

Mr. Porter objected.

Mr. Hard then moved to lay the present and all intervening orders of business on the table, to enable him to offer said resolution.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Van Schoonhoven
Mr. Beers	Mr. Hard	Mr. Wheeler
Mr. Emmons	Mr. S. Smith	8

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sedgwick
Mr. Beekman	Mr. Jones	Mr. Sanford
Mr. Denniston	Mr. Lester	Mr. J. B. Smith
Mr. Deyo	Mr. Lott	Mr. Talcott
Mr. Hand	Mr. Porter	Mr. Young
		15

On motion of Mr. Johnson,

The bill from the Assembly entitled "An act relative to a bridge across Roeliff Jansen's creek, in the county of Columbia," was read the third time and laid on the table.

Mr. Lester moved that the present and all intervening orders of business be laid on the table, and that the Senate proceed to the third reading of Senate bills.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The Senate then, pursuant to order, resolved itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of Patrick Fitzsimmons and James Brady," and after some time spent thereon, Mr. President resumed the chair, and Mr. Backus, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled "An act to provide for the calling of a convention in relation to the charter of the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the First Senate district.

A bill was received from the Assembly for concurrence entitled "An act to abolish distress for rent and for other purposes," which was read the first time, and by unanimous consent was also read a second time,

and by unanimous consent committed to the same committee of the whole, having in charge a bill of the same title.

Mr. Talcott moved that the last two mentioned bills, together with all the other bills relative to tenures, &c., be made the special order for Wednesday morning next, immediately after the reports of committees, and be continued such special order until disposed of.

Mr. J. B. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith	
Mr. Beekman	Mr. Lott	Mr. S. Smith	
Mr. Clark	Mr. Porter	Mr. Spencer	
Mr. Deyo	Mr. Sedgwick	Mr. Wheeler	
Mr. Emmons	Mr. Sanford	Mr. Young	15

FOR THE NEGATIVE.

Mr. Barlow	Mr. Talcott	Mr. Van Schoonhoven	
Mr. Denniston			4

Then the Senate adjourned to 9 o'clock to-morrow morning.

TUESDAY, 9 O'CLOCK, A. M., MAY 5, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Fisher,

The minutes of yesterday having been read and approved,

Mr. Wheeler, from the committee on claims, to whom was recommit-
ted the bill from the Assembly entitled "An act for the relief of Merrit
Clark, Richard Clark, Ambrose Clark and George D. Wheeler, contrac-
tors on section number five of the Genesee Valley Canal," reported in
favor of the passage thereof, without amendment, which was agreed to
by the Senate, and the bill ordered to a third reading.

Mr. Denniston, from the committee on canals, to whom was referred
the bill from the Assembly entitled "An act to provide for draining
certain lands in the town of Black Rock," reported against the passage
thereof, which was committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom

was referred the bill from the Assembly entitled "An act to provide for building a bridge across the Batten Kill, near the residence of Hiram Clark, in the town of Greenwich," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lester from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to amend 'An act to incorporate the village of Dansville,' passed May 7, 1845," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to change the corporate name of the Mutual Insurance Company of the city of New-York, and to reduce its capital," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill entitled "An act for the reduction of the stock of the National Fire Insurance Company in the city of New-York," to consider and report complete, reported the same complete, with amendments, and with the title so altered as to read as follows: "An act for the benefit of the National Fire Insurance Company in the city of New-York," which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act for the relief of certain purchasers of lands in the second Oneida purchase of 1829," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Porter, from the same committee, to whom was referred the bill from the Assembly entitled "An act in relation to the assessment and collection of taxes," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Porter, from the same committee, to whom was referred the petition of inhabitants of the town of Champion for a loan, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Clark, by unanimous consent, presented the petition of inhabitants of the town of Greenwich, Washington county, for a bridge across the Batten Kill; also a remonstrance against the same, which were read and laid on the table.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Johannis beni Israel Society of the city of New-York,"

reported in favor of the the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to amend the charter of the city of Rochester," reported the same for the consideration of the Senate, with amendments.

On motion of Mr. Backus,

Said amendments were ordered engrossed and the bill to a third reading.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to authorize the establishment of an asylum for idiots," which was ordered to a third reading.

Mr. Jones, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to erect the county of Canisteo," reported the same for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Beekman, from the committee on medical societies and medical colleges, to whom was referred the bill from the Assembly entitled "An act to amend chapter two hundred and seventy-nine of the laws of eighteen hundred and forty-four," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Beekman, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to regulate the price for transporting freight on the Tonawanda Railroad," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act in relation to the New-York and Erie Railroad, passed May 14, 1845,' and for other purposes," to consider and report complete, reported the same with an amendment, which was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Williams, from the committee on poor laws, to whom was re-committed the engrossed bill entitled "An act to amend an act entitled 'An act in relation to the appointment of superintendents of the poor in the county of Westchester, and for other purposes,' passed May 6, 1845," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom were referred two several bills from the Assembly entitled "An act to authorize the election of three supervisors in the city of Utica," reported the same for the consideration of the Senate.

On motion of Mr. Spencer,

Ordered, That the said bill be referred to a select committee to consider and report complete.

Mr. President named, and thereupon

Ordered, That Mr. Spencer, Mr. Scovil and Mr. Lott be such committee.

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building a bridge across the
Clark, in the town of Green
thereof, without amendment.
the bill ordered to a third re

Mr. Lester from the com
lages, to whom was referred
act to amend "An act to
May 7, 1845," reported in
which was agreed to by
grossed, and the bill to a

Mr. Lester, from the
to whom was referred
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city of New-York, and
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by the Senate, and th
a third reading.

Mr. Lester, from
to whom was referred
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York," to consider
with amendments,
"An act for the be
city of New-York,
the bill ordered to

Mr. Porter, from
the bill from the
changers of lands
favor of the pass
by the Senate,
third reading.

Mr. Porter,
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Mr. Porter,
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Resolved,
Mr. Clark,
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ALTERNATIVE

Mr. E. ~~_____~~
N. F. ~~_____~~

Mr. Sedgwick
Mr. Spencer

Mr. Van Schoonhoven
Mr. Wheeler

13

FOR THE NEGATIVE.

Mr. Lester
Mr. Porter
Mr. J. B. Smith

Mr. S. Smith
Mr. Talcott
Mr. Young

10

Ordered, That said bill be engrossed for a third reading.

The Assembly returned the bill entitled "An act concerning the National History of the State of New-York," with a message informing they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Lott, from the select committee, consisting of the Senators attending the Senate from the First Senate district, to whom was referred the bill from the Assembly entitled "An act to prevent the destruction of oysters in the waters of Richmond county," to consider and report complete, reported the same, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Sanford, from the same select committee, to whom was referred the bill from the Assembly entitled "An act to provide for the calling of a convention in relation to the charter of the city of New-York," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

By unanimous consent,

On motion of Mr. Williams,

Resolved, That the Assembly bill entitled "An act to authorize the supervisors of the county of Dutchess to sell their poor house and farm," be recommitted to the committee on poor laws, with instructions so to amend the same, as to authorize the supervisors to change the location of the poor house, and to report the bill complete.

Mr. Hard asked the unanimous consent of the Senate to offer a resolution to refer eight several bills, relative to railroads, to a select committee, to report complete.

Mr. Porter objected.

Mr. Hard then moved to lay the present and all intervening orders of business on the table, to enable him to offer said resolution.

Mr President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

Mr. Emmons, from the committee on claims, to whom was referred the bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe," to consider and report complete, reported the same complete, with amendments.

The first section of said bill, as amended was read in the words following, to wit:

§ 1. The Canal Board are hereby authorized and required to hear and examine the claim of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe, for labor done and expenses incurred in recutting stone furnished by former contractors, for extra bailing of water, and for losses sustained on such stone as were received by the said Isaac Thompson and others, as suitable for face stone, but which, by the direction of the State agents, were used for backing, under their contract for constructing the east set of double locks, and the middle lock in the village of Syracuse, on the enlargement of the Erie canal, made the second day of June, 1838; and also for the extra expense of the stone masonry, beyond what was contemplated by the commissioners, engineers and contractors at the time said contract was entered into, in consequence of the more complete and perfect manner in which the said contractors were required to execute the same, and of the change in the manner of its execution from that of former State works of the kind.

Mr. Johnson moved to amend said section as read, by striking out all after "1838," in the 10th line of said section.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. J. B. Smith	
Mr. Denniston	Mr. Lester	Mr. Talcott	
Mr. Hand	Mr. Porter	Mr. Young	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer	
Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Sedgwick	Mr. Spencer	
Mr. Folsom			10

Mr. President put the question on agreeing to said report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Emmons
Mr. Barlow	Mr. Clark	Mr. Folsom

Mr. Hard
Mr. Jones
Mr. Putnam

Mr. Sedgwick
Mr. Spencer

Mr. Van Schoonhoven
Mr. Wheeler

13

FOR THE NEGATIVE.

Mr. Beekman
Mr. Denniston
Mr. Hand
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. J. B. Smith

Mr. S. Smith
Mr. Talcott
Mr. Young

10

Ordered, That said bill be engrossed for a third reading.

The Assembly returned the bill entitled "An act concerning the Natural History of the State of New-York," with a message informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Lott, from the select committee, consisting of the Senators attending the Senate from the First Senate district, to whom was referred the bill from the Assembly entitled "An act to prevent the destruction of oysters in the waters of Richmond county," to consider and report complete, reported the same, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Sanford, from the same select committee, to whom was referred the bill from the Assembly entitled "An act to provide for the calling of a convention in relation to the charter of the city of New-York," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

By unanimous consent,

On motion of Mr. Williams,

Resolved, That the Assembly bill entitled "An act to authorize the supervisors of the county of Dutchess to sell their poor house and farm," be recommitted to the committee on poor laws, with instructions so to amend the same, as to authorize the supervisors to change the location of the poor house, and to report the bill complete.

Mr. Hard asked the unanimous consent of the Senate to offer a resolution to refer eight several bills, relative to railroads, to a select committee, to report complete.

Mr. Porter objected.

Mr. Hard then moved to lay the present and all intervening orders of business on the table, to enable him to offer said resolution.

Mr President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Hard	Mr. Wheeler
Mr. Emmons	Mr. S. Smith	Mr. Williams

9

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Scovil
Mr. Beekman	Mr. Johnson	Mr. Sedgwick
Mr. Burnham	Mr. Jones	Mr. Sanford
Mr. Clark	Mr. Lester	Mr. J. B. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Young

18

By unanimous consent,

Mr. Van Schoonhoven presented the petition of citizens of Rensselaer county, for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant in this State, which was read and referred to the committee on the judiciary.

On motion of Mr. Scovil,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to confirm the official acts of James G. Lynde, a justice of the peace," and that the same be recommitted to the committee on the judiciary.

On motion of Mr. J. B. Smith,

Ordered, That the Senate proceed to the further consideration of the question on the final passage of the bill from the Assembly entitled "An act to repeal the act entitled 'An act to improve the post road from the Elephant Hotel, in the town of Somers, to the village of Peekskill,' passed May 13, 1845, and for other purposes."

On motion of Mr. Hand,

Ordered, That the said bill be recommitted to the committee on the judiciary, to consider and report complete.

On motion of Mr. Denniston,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend the law relating to excise, and the regulation of taverns and groceries," and that the same be ordered to a third reading.

On motion of Mr. Hand,

Ordered, That the bill entitled "An act to build an armory for the guards at Auburn State Prison, and for other purposes," and four other several bills relative to State prisons, be made the special order for tomorrow, immediately after the recess.

On motion of Mr. Emmons,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of John Sanford and William Eggleston," with amendments.

Said amendments were agreed to by the Senate, ordered engrossed and the bill to a third reading.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of bill No. 119, on general orders, and that the said bill be referred to a select committee, consisting of the Senators of the 4th district, to report complete.

Mr. Putnam asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in addition to the act establishing a Normal School," passed May 4, 1844, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

On motion of Mr. Folsom,

Ordered, That the present and all intervening orders of business be laid on the table, and the Senate proceed to the third reading of Senate bills, and the question on the final passage of the engrossed bills with the following titles, to wit: "An act in relation to the Albany basin," and also "An act in relation to the collection of militia fines."

On motion of Mr. Lott,

Ordered, That the order heretofore made, directing the final question on the bill first above mentioned to be taken without debate, be rescinded.

After debates,

Mr. President put the question on the final passage of the bill entitled "An act in relation to the Albany Basin," and it was lost: two-thirds of all the members elected to the Senate not voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Jones	Mr. Sanford
Mr. Chamberlain	Mr. Lester	Mr. J. B. Smith
Mr. Denniston	Mr. Mitchell	Mr. S. Smith
Mr. Deyo	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Talcott
Mr. Beekman	Mr. Hard	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Spencer	Mr. Young

12

On motion of Mr. Van Schoonhoven,

Ordered, That the bill from the Assembly entitled "An act to regulate bank issues," with the engrossed amendments, be recommitted to the committee on banks and insurance companies.

Mr. Lott, from the committee on the judiciary, to whom was re-committed the bill from the Assembly entitled "An act to repeal the

act entitled 'An act to improve the post road running from the Elephant Hotel in the town of Somers, to the village of Peekskill, passed May 13th, 1845,' and for other purposes," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. J. B. Smith,
Said bill with the engrossed amendments was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe," which was ordered to a third reading.

On motion of Mr. Jones,

Mr. President put the question on the final passage of the engrossed bill entitled "An act in relation to the collection of militia fines," and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam	
Mr. Barlow	Mr. Hard	Mr. Sanford	
Mr. Beekman	Mr. Jones	Mr. Spencer	
Mr. Beers	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Lott	Mr. Williams	
Mr. Emmons	Mr. Porter	Mr. Young	18

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Scovil	Mr. J. B. Smith	
Mr. Clark	Mr. Sedgwick	Mr. Wheeler	6

Thereupon,

Resolved, That the bill do pass.

Mr. J. B. Smith moved to reconsider the vote on the final passage of said bill, and then moved that said bill be laid on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Clark	Mr. Sedgwick	
Mr. Burnham	Mr. Mitchell	Mr. J. B. Smith	
Mr. Chamberlain	Mr. Scovil	Mr. Wheeler	9

FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. S. Smith
Mr. Barlow	Mr. Jones	Mr. Spencer
Mr. Beekman	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Van Schoonhoven
Mr. Deyo	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Folsom		

19

Mr. President then put the question on agreeing to said motion to reconsider, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Mitchell	Mr. J. B. Smith
Mr. Chamberlain	Mr. Scovil	Mr. Wheeler
Mr. Clark	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr. S. Smith
Mr. Barlow	Mr. Jones	Mr. Spencer
Mr. Beekman	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Van Schoonhoven
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Emmons	Mr. Putnam	Mr. Young
Mr. Folsom	Mr. Sanford	

20

Thereupon,

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

Mr. Clark asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to militia fines," which was read the first time, and by unanimous consent was also read a second time.

Mr. Clark moved that the said bill be engrossed for a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Burnham	Mr. Denniston
Mr. Barlow	Mr. Chamberlain	Mr. Emmons
Mr. Beers	Mr. Clark	Mr. Folsom

Mr. Hard	Mr. Scovil	Mr. Van Schoonhoven
Mr. Jones	Mr. Sedgwick	Mr. Wheeler
Mr. Lott	Mr. Sanford	Mr. Williams
Mr. Mitchell	Mr. Spencer	Mr. Wright
Mr. Putnam		

22

FOR THE NEGATIVE.

Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Hand	Mr. J. B. Smith	Mr. Young
Mr. Johnson		

10

Mr. Clark moved to suspend the 15th rule of the Senate, to enable him to make a motion that the said bill do now have its third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Wright
Mr. Emmons	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Mitchell	Mr. Young
Mr. Hand	Mr. Porter	

14

Mr. Clark then moved that the said bill do now have its third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. Jones
Mr. Barlow	Mr. Emmons	Mr. Putnam
Mr. Burnham	Mr. Folsom	Mr. Scovil
Mr. Chamberlain	Mr. Hard	Mr. Sanford

Mr. Spencer	Mr. Wheeler	Mr. Wright	
Mr. Van Schoonhoven	Mr. Williams		17

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. Sedgwick	
Mr. Beers	Mr. Lester	Mr. J. B. Smith	
Mr. Denniston	Mr. Lott	Mr. S. Smith	
Mr. Deyo	Mr. Mitchell	Mr. Talcott	
Mr. Hand	Mr. Porter	Mr. Young	15

Thereupon,
Said bill was read the third time, in the words following, to wit :

“An act in relation to militia fines.”

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. All fines and penalties for the nonperformance of any militia duty hereafter, are hereby abolished ; and all laws inconsistent with this act are hereby repealed.

§ 2. This act shall take effect immediately.

Mr. Jones moved to commit said bill to the committee on the militia.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Jones	Mr. Sanford	
Mr. Denniston	Mr. Porter	Mr. S. Smith	
Mr. Folsom	Mr. Sedgwick	Mr. Young	
Mr. Hand			10

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil	
Mr. Barlow	Mr. Hard	Mr. J. B. Smith	
Mr. Beekman	Mr. Johnson	Mr. Talcott	
Mr. Burnham	Mr. Lester	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Williams	
Mr. Deyo	Mr. Putnam		20

Mr. Putnam moved to lay the question on the final passage of said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Deyo	Mr. Putnam	9
Mr. Beers	Mr. Hand	Mr. S. Smith	
Mr. Denniston	Mr. Porter	Mr. Spencer	

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith	22
Mr. Barlow	Mr. Lester	Mr. Talcott	
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler	
Mr. Clark	Mr. Scovil	Mr. Williams	
Mr. Emmons	Mr. Sedgwick	Mr. Wright	
Mr. Folsom	Mr. Sanford	Mr. Young	
Mr. Johnson			

Mr. President put the question on the final passage of said bill, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick	15
Mr. Burnham	Mr. Hard	Mr. Sanford	
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven	
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Emmons	Mr. Scovil	Mr. Wright	

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith	17
Mr. Beekman	Mr. Lester	Mr. Spencer	
Mr. Beers	Mr. Mitchell	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Putnam	Mr. Young	
Mr. Hand	Mr. J. B. Smith		

Mr. Clark moved to reconsider the vote on the final passage of the said bill, and then moved that said motion be laid on the table.

Mr. President then put the question on agreeing to said last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Wright
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Lester	Mr. Spencer
Mr. Beers	Mr. Mitchell	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Young
Mr. Hand		

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Debates being had, but without taking the question on said motion to reconsider.

The Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the village of Baldwinsville, in the county of Onondaga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the supervisors of the counties of Cattaraugus and Erie, to raise money to build a bridge over the Cattaraugus creek," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act further to provide for the protection of the public works," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the fees of town collectors of taxes, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to equalize taxation," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

A bill was received from the Assembly for concurrence entitled "An act to revive an act passed April 15th, 1839, in relation to Washington's head-quarters, in the village of Newburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Second Senate District, to consider and report complete.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Thistle Benevolent Association of the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of Patrick Fitzsimmons and James Brady," and after some time spent thereon, Mr. President resumed the chair, and Mr. Backus, from said committee, reported that they had gone through said bill, and made an amendment thereto, which with the said bill, he was directed to report to the Senate.

Mr. President put the question on agreeing with the said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Jones	Mr. Talcott
Mr. Beekman	Mr. Putnam	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Sedgwick	Mr. Wright
Mr. Clark		

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Johnson	Mr. S. Smith
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Hand	Mr. Porter	Mr. Young

9

Thereupon,

Ordered, That the said amendments be engrossed and the bill to a third reading.

Mr. Mitchell moved that the Senate resolve itself into a committee of the whole on the bill from the Assembly entitled "An act for the relief of William Buel."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. Sanford
Mr. Barlow	Mr. Lott	Mr. J. B. Smith
Mr. Beekman	Mr. Mitchell	Mr. S. Smith
Mr. Burnham	Mr. Putnam	Mr. Wheeler
Mr. Chamberlain	Mr. Scovil	Mr. Williams
Mr. Clark	Mr. Sedgwick	Mr. Wright
Mr. Denniston		

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FOR THE NEGATIVE.

Mr. Eminons	Mr. Johnson	Mr. Porter
Mr. Folsom	Mr. Lester	Mr. Young
Mr. Hand		

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The Senate then resolved itself into a committee of the whole on the said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. J. B. Smith, from said committee, reported that they had gone through the said bill, and made amendment thereto, which with the said bill, he was directed to report to the Senate, which report was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Barlow,

Ordered, That the said bill do now have its third reading.

The said bill was then read the third time.

Mr. President put the question on the final passage thereof, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Scovil
Mr. Barlow	Mr. Hard	Mr. Sedgwick
Mr. Beekman	Mr. Jones	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Williams
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Deyo		

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FOR THE NEGATIVE.

Mr. Denniston	Mr. Johnson	Mr. S. Smith
Mr. Folsom	Mr. Porter	Mr. Young

6

Resolved, That the bill do pass.

Thereupon,

Ordered, That the Clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same, with the amendments therewith delivered.

By unanimous consent,

On motion of Mr. Clark,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend an act entitled 'An act vesting certain powers in the freeholders and inhabitants of the village of Waterford,' passed March 28th, 1805, and for other purposes," and that the same be ordered to a third reading.

Mr. Williams moved to suspend the rules of the Senate, to enable him to offer a resolution limiting the time which Senators should be allowed to speak on questions during the residue of this session.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Putnam
Mr. Barlow	Mr. Johnson	Mr. Sedgwick
Mr. Beekman	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Scovil	Mr. S. Smith
Mr. Chamberlain	Mr. Sanford	Mr. Williams

6

The Assembly returned the bill entitled "An act to repeal the act entitled 'An act to improve the post road running from Elephant Hotel in the town of Somers, to the village of Peekskill, passed May 13th, 1845,' and for other purposes," with a message informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act to annex the towns of Nunda and Portage to the county of Livingston," which was read the first time; and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An

act to provide for the erection of a town house in the town of Darien, in the county of Genesee," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the Senators attending the Senate from the Eighth Senate District.

A bill was received from the Assembly for concurrence, entitled "An act to amend the statutes of devises and descents, and to extinguish certain tenures," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Then the Senate adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., MAY 6, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Harrington.

The minutes of yesterday having been read and approved,

Mr. Sanford asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to revive and continue in force the charter of the Butcher's Benevolent Society in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Mr. Lott, from the committee on the judiciary, asked for and obtained leave to report a bill entitled "An act to provide for the compensation of town officers in the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Lott, from the same committee, to whom was recommitted the bill from the Assembly, entitled "An act to regulate the fees of town collectors of taxes, and for other purposes," reported in favor of the passage thereof without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the same committee, to whom was referred the bill from the Assembly entitled "An act to confirm the official acts of James G. Lynde, a justice of the peace," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill entitled "An act in relation to the New-York Equitable Insurance Company," to consider and report complete, reported the same complete, with an amendment, and changed

the title thereof, so as to read as follows: "An act for the benefit of the New-York Equitable Insurance Company in the city of New-York," which report was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Mr. Porter, from the minority of the committee on finance, to whom had been referred the bill entitled "An act to subject the rents reserved on certain leasehold estates to taxation," and so much of the Governor's message as relates to that subject, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act to provide for taxing the interest of lessors in leases for life, or for a longer period than twenty-one years," which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Lott moved that 1,000 extra copies of said report be printed, which motion was referred to the committee on public printing.

Afterwards,

Mr. Sedgwick, from the committee on public printing, reported in favor of said motion.

Mr. Porter moved to amend said report by ordering printed 750 extra copies thereof, only.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE

Mr. Beekman	Mr. Johnson	Mr. Sanford	
Mr. Clark	Mr. Lester	Mr. S. Smith	
Mr. Hard	Mr. Porter		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Sedgwick	
Mr. Barlow	Mr. Emonson	Mr. Spencer	
Mr. Beers	Mr. Folsom	Mr. Talcott	
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Lott	Mr. Williams	15

Said report was then agreed to by the Senate.

Thereupon,

Ordered; That the usual number of copies of said bill and report, respectively, and 1,000 extra copies of said report, be printed.

[See Senate Document No. 135.]

Mr. Beers moved that said last mentioned bill be made the special order of the day for to-morrow morning, immediately after the reports of committees, and every day thereafter at the same time until disposed of.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Beers	Mr. Jones	Mr. Van Schoonhoven
Mr. Denniston	Mr. Lester	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Hand	Mr. Sanford	

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FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Burnham	Mr. Folsom	Mr. Sedgwick
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Mitchell	Mr. Wheeler

12

On motion of Mr. Sedgwick,

Ordered, That the committee on literature be discharged from the further consideration of the engrossed bill entitled "An act in relation to the Natural History of New-York," and that said bill be laid on the table.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill entitled "An act to revive and continue in force the charter of the Butchers' Benevolent Society in the city of New-York," reported in favor of the passage thereof, which was ordered to a third reading.

Mr. Talcott, from the committee on retrenchment, to whom was referred the bill from the Assembly, entitled "An act to reduce the fees of certain officers, and for other purposes," reported in favor of the passage thereof, with amendments.

On motion of Mr. Jones,

Said bill with the amendments was referred to a select committee, to consist of one Senator from each Senate District, to consider and report complete.

The President named, and thereupon,

Ordered, That Mr. Sanford, Mr. Deyo, Mr. Beekman, Mr. Mitchell, Mr. Spencer, Mr. Chamberlain, Mr. Sedgwick and Mr. Backus, be such committee.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Thistle Benevolent Association of the city of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Emmons, from the same committee, to whom were referred sev-

ral memorials for that purpose, asked for and obtained leave to report for the consideration of the Senate, a bill entitled "An act concerning the New-York Bible and Common Prayer Book Society," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. Lott,

Ordered, That the bill from the Assembly entitled "An act to amend an act to incorporate the Kings County Mutual Insurance Company," passed April 15, 1844, be recommitted to the committee on banks and insurance companies, to consider and report complete.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills entitled "An act to provide for the compensation of town officers in the county of Kings;" also "An act for the benefit of the New-York Equitable Insurance Company in the city of New-York," which were severally ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to revive and amend the charter of the Troy Turnpike and Railroad Company," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14, 1845, and for other purposes," which was ordered to a third reading.

On motion of Mr. Folsom,

Said bill was read the third time.

Thereupon,

On motion of Mr. Barlow,

Ordered, That the said bill be laid on the table, and that the question on the final passage thereof, be taken to morrow morning at fifteen minutes past nine o'clock.

Mr. Mitchell, from the select committee, consisting of the Senators attending the Senate from the Fourth Senate district, to whom was referred the bill entitled "An act to authorize the board of supervisors of the county of Montgomery to raise money in the town of Canajoharie for roads and bridges," to consider and report complete, reported the same complete, without amendment, which report was agreed to by the Senate, and the bill ordered to a third reading.

By unanimous consent,

On motion of Mr. Sedgwick,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the benefit and relief of Francis Englishbee," with the amendments reported thereto, and that said amendments be engrossed and said bill to a third reading.

Mr. Sanford moved that the Senate do now resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Talcott
Mr. Burnham	Mr. Porter	Mr. Williams
Mr. Chamberlain	Mr. Putnam	Mr. Young
Mr. Denniston		

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FOR THE NEGATIVE.

Mr. Hand	Mr. Lester	Mr. Sedgwick
Mr. Hard	Mr. Scovil	Mr. Van Schoonhoven

6

The Senate then again resolved itself into a committee of the whole on said bill, and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee, reported progress, and asked for and obtained leave to sit again.

The Assembly returned the bill entitled "An act for the relief of Wm. Buell," with a message informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

Then the Senate took a recess till half past three o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

Mr. Sanford moved that the Senate again resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany."

Mr President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Hand	Mr. Johnson	Mr. Lester
Mr. Hard		

4

The Senate then again resolved itself into a committee of the whole on said bill and after some time spent thereon, Mr. President resumed the chair, and Mr. Mitchell, from said committee, reported that they had gone through the bill, and had made amendments thereto, which with the bill they had directed him to report to the Senate.

The 21st section of said bill as reported, was then read in the words following to wit :

§ 21. The said company may borrow, from time to time, after having called in and expended two millions of dollars of the capital stock of the said company, such further sum or sums of money as may be necessary to complete said road, in the whole not exceeding an amount which added to the whole amount of their capital actually subscribed, shall together, be equal to six millions of dollars, and they are authorized to secure such loans by pledging and mortgaging the real estate of said company, or in such other manner as they shall deem expedient; but such debt shall not at any time exceed a sum which shall be \$500,000 less than the amount of capital stock, actually called in and expended by the said corporation, in the construction of said railroad; and all moneys so borrowed shall be applied to the construction of said railroad, and the putting the same into operation, and the directors may confer upon the holders of any bond they may issue, for any money so borrowed for the use of said road, the right to convert the principal due thereon into stock of the said company at any time not exceeding five years from the date of said bond, under such regulations as the directors may see fit to adopt; and for such purpose the said corporation are authorized to increase its capital stock to the amount so borrowed whenever the persons, or any of them, to whom such money is due shall elect to convert the same into stock; provided however that the whole capital of said company shall in no case exceed \$6,000,000, nor shall the whole money borrowed by authority of this section exceed two millions of dollars; and provided further that said corporation shall in no case borrow any money under this section, at any time, when the aggregate amount of all of the debts of said corporation and valid claims against the same due or to become due, exclusive of all sums that may have been borrowed under this section, shall exceed twenty-five thousand dollars.

Mr. Clark moved to amend said report, by striking out said section.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hard	Mr. Sedgwick	
Mr. Chamberlain	Mr. Lester	Mr. Wheeler	
Mr. Clark	Mr. Mitchell		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith	
Mr. Beekman	Mr. Hand	Mr. S. Smith	
Mr. Denniston	Mr. Lott	Mr. Spencer	
Mr. Deyo	Mr. Porter	Mr. Williams	
Mr. Emmons	Mr. Sanford	Mr. Young	15

Mr. Sedgwick moved to amend said report, by adding the following, as an additional section to said bill:

§37. The said railroad company shall not run their cars on the first day of the week, commonly called Sunday; and any violation of this section shall forfeit all the rights, privileges and franchises granted by this act.

Mr. President put the question on agreeing to the last amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Denniston	Mr. Hard	Mr. J. B. Smith	
Mr. Emmons	Mr. Sedgwick		8

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Barlow	Mr. Lester	Mr. Spencer	
Mr. Beekman	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. Mitchell	Mr. Williams	
Mr. Deyo	Mr. Porter	Mr. Young	
Mr. Folsom	Mr. Sanford		17

Said report was then agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the committee on engrossed bills, reported as cor.

recently engrossed three several bills entitled "An act concerning the New-York Bible and Common Prayer Book Society;" also "An act authorizing the board of supervisors of the county of Montgomery to raise money in the town of Canajoharie for roads and bridges;" also "An act to revise and continue in force the charter of the Butchers' Benevolent Society in the city of New-York," which were severally ordered to a third reading.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit: "An act in relation to the Marine Hospital and its funds; also "An act to incorporate the Syracuse Society of Brotherly Love," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Albany Trust and Savings Bank," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

The report of the Canal Commissioners upon the bill from the Assembly entitled "An act for the relief of Mordecai Ogden and John Durfee," heretofore referred to them, was received, read, and with said bill referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 136.]

On motion of Mr. Backus,

Resolved, That the Senate will, to-morrow morning, immediately after the reports of committees, proceed to the third reading of Senate bills and bills from the Assembly which have been amended.

Mr. Hand moved that the Senate resolve itself into a committee of the whole on the bill from the Assembly entitled "An act in relation to the Clinton State Prison.

Mr. J. B. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow

Mr. Beekman

Mr. Chamberlain

Mr. Clark

Mr. Deyo

Mr. Folsom

Mr. Hard

Mr. Lester

Mr. Porter

Mr. J. B. Smith

Mr. S. Smith

Mr. Spencer

Mr. Young

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FOR THE NEGATIVE.

Mr. Backus

Mr. Denniston

Mr. Emmons

Mr. Hand
Mr. Lott

Mr. Mitchell
Mr. Putnam

Mr. Sedgwick
Mr. Sanford

9

Then the Senate adjourned to 9 o'clock to-morrow morning.

THURSDAY, 9 O'CLOCK; A. M., MAY 7, 1846.

The Senate met pursuant to adjournment.

The minutes of yesterday having been read and approved,

Mr. Backus presented the remonstrance of the supervisors and others, citizens of Sullivan county, against the passage of the bill to provide for the completion of building a bridge across the Neversink river in the town of Fallsburgh, in said county, which was read and laid on the table.

Mr. Emmons presented the remonstrance of Richard Sears and others, members of the board of trade of the city of Buffalo, against the passage of the bill relating to inspections in Erie county, which was read and laid on the table.

Mr. S. Smith presented the remonstrance of inhabitants of Westchester county against the bill relative to the fees of county clerks, which was read and referred to the select committee of eight, having said bill in charge.

Mr. Hand presented the petition of James H. Sherrill, for reimbursement of his expenditures on the examination before the select committee of the Senate on the subject of certain expenditures on the northern section of the Champlain canal, &c., which was read and referred to said select committee.

Mr. Hand presented the remonstrance of James H. Purnert and others against making the Saranac River a public highway, which was read and laid on the table.

Mr. Hand presented the petition of the stockholders of the Farmers' Bank of Orleans for relief, which was read, and with the petition for the same purpose, heretofore presented, referred to the committee on banks and insurance companies.

Mr. Lott, from the committee on the judiciary, asked for and obtained leave to report a bill entitled "An act further to amend the act to abolish imprisonment for debt and to punish fraudulent debtors," passed April 26th, 1831, which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Sedgwick, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to repeal an act to ap.

thorize and require the trustees of joint school district number fourteen of Clay and Cicero, to levy and collect a tax for the relief of Hiram M. Wright and Joseph Rector," passed April 7th, 1845, reported the same for the consideration of the Senate, which was committed to a committee of the whole.

On motion of Mr. Lester,

The Senate disagreed to the report of the committee on grievances, against the passage of the bill from the Assembly entitled "An act to change the name of Catharine P. Moffitt to Catherine P. Starkey," and said bill was ordered to a third reading.

The hour having arrived,

On motion of Mr. Jones,

Mr. President put the question on the final passage of the engrossed bill entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14th, 1845, and for other purposes," and said bill was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lester	Mr. Wheeler
Mr. Chamberlain	Mr. Lott	Mr. Williams
Mr. Denniston	Mr. Mitchell	Mr. Wright
Mr. Emmons	Mr. Porter	

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FOR THE NEGATIVE.

Mr. Deyo	Mr. Scovil	Mr. Talcott
Mr. Hand		

4

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

Mr. Wheeler, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Malcom N. Hawkins," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Syracuse Society of Brotherly Love," reported in favor of the passage without amendment, which was committed to a committee of the whole.

Mr. Mitchell, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act for the more equal assessment of highway labor in the villages of Syracuse, Salina,

Geddes and Liverpool, and in the town of Salina," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Wheeler, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to annex the towns of Nunda and Portage to the county of Livingston," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Johnson, from the committee on claims, to whom were referred two several bills from the Assembly entitled "An act for the relief of Robert Renwick, Jr., Zebina Willson, Jr., and the heirs of Zebina Willson, late deceased;" also "An act for the relief of A. Seymour, William Coffin, Richard Savage and William L. Harrison," reported in favor of the passage thereof respectively, without amendments, which was agreed to by the Senate, and said bills severally ordered to a third reading.

Mr. Barlow, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act abolishing the office of inspector of the Onondaga Salt Springs, and for other purposes," reported in favor of the passage thereof, with amendments, and moved that said bill be ordered to a third reading.

A part of section four of said bill as reported by said committee was read in the words following, to wit:

§ 4. The superintendent shall be entitled to a salary of twelve hundred dollars a year for his services, &c.

Mr. Sedgwick moved to amend said section by striking out the words "twelve hundred dollars."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Jones	Mr. J. B. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Young
Mr. Emmons	Mr. Sedgwick	

17

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Lott	Mr. Wright
Mr. Clark	Mr. Mitchell	

5

A portion of the fourth section of the original bill from the Assembly was then read, in the words following, to wit:

§ 4. The superintendent shall be entitled to a salary of one thousand dollars a year for his services, &c.

Mr. Sedgwick moved to amend the report of said committee, by striking out of said original section the words, "one thousand," and inserting instead thereof, the words, "eight hundred."

A division was called for.

Mr. President put the question on striking out, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick	
Mr. Beekman	Mr. Folsom	Mr. S. Smith	
Mr. Burnham	Mr. Lester	Mr. Talcott	
Mr. Denniston	Mr. Mitchell	Mr. Williams	
Mr. Deyo	Mr. Porter	Mr. Young	15

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. J. B. Smith	
Mr. Beers	Mr. Lott	Mr. Spencer	
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler	
Mr. Clark	Mr. Sanford	Mr. Wright	12

Mr. President then put the question on inserting "eight hundred," as aforesaid, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. S. Smith	
Mr. Barlow	Mr. Hand	Mr. Spencer	
Mr. Beekman	Mr. Porter	Mr. Talcott	
Mr. Denniston	Mr. Sedgwick	Mr. Williams	
Mr. Deyo	Mr. J. B. Smith	Mr. Young	
Mr. Emmons			16

FOR THE NEGATIVE.

Mr. Beers	Mr. Jones	Mr. Putnam	
Mr. Chamberlain	Mr. Lott	Mr. Sanford	
Mr. Clark	Mr. Mitchell	Mr. Wright	9

The report of said committee as amended was then agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Denniston, from the select committee, to whom was referred the

bill from the Assembly entitled "An act to revive an act passed April 13th, 1839, in relation to Washington's Head-Quarters, in the village of Newburgh," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Isaac Jackson," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was recommitted the bill from the Assembly entitled "An act to regulate bank issues," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Lester, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to incorporate the village of Baldwinsville, in the county of Onondaga," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act further to amend the act to abolish imprisonment for debt and to punish fraudulent debtors," passed April 26, 1831, which was ordered to a third reading.

Mr. Porter, from the committee on finance, asked for and obtained leave to report a bill entitled "An act to restore to the general fund certain moneys paid for bounty on salt, coal, lead, gypsum and empty casks," which was read the first time, and by unanimous consent was also read a second time.

Mr. Porter moved that the said bill be engrossed for a third reading.

Mr. Chamberlain moved that the same be committed to a committee of the whole.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Chamberlain
Mr. Emmons
Mr. Hard

Mr. Lott
Mr. Mitchell
Mr. Putnam

Mr. Sedgwick
Mr. Wheeler
Mr. Wright

10

FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman

Mr. Denniston
Mr. Folsom

Mr. Lester
Mr. Porter

Mr. S. Smith
Mr. Spencer

Mr. Talcott
Mr. Williams

Mr. Young

11

Mr. President put the question on agreeing to said first motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beckman
Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Folsom
Mr. Hand
Mr. Lester
Mr. Porter
Mr. S. Smith

Mr. Spencer
Mr. Talcott
Mr. Williams
Mr. Young

14

FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Emmons

Mr. Hard
Mr. Lott
Mr. Mitchell
Mr. Putnam

Mr. Sedgwick
Mr. Sanford
Mr. Wheeler
Mr. Wright

12

Mr. Denniston, from the select committee to whom was referred the bill from the Assembly entitled "An act to authorize the Canal Board to assume in behalf of the State the Dansville slip and basin," to consider and report complete, reported the same with amendments.

Mr. Denniston moved to amend said report by striking out the fourth section of said bill as reported, which was read as follows :

§ 4. James Faulkner and other owners of the lands taken for the Genesee Valley Canal, at the termination thereof at Dansville, whose damages have not been appraised shall be entitled to have the same appraised in the same manner, with like effect and to the same extent as if the appraisal thereof had been made within the time limited by law; but nothing in this section contained shall prevent the taking of said slip and basin, and the necessary lands adjoining the same, when the other requirements of this act are complied with.

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

Mr. President then put the question on agreeing to the said report, and it was decided in the affirmative.

Thereupon,

The amendments were ordered to be engrossed and the bill to a third reading.

Mr. Johnson moved that the present and all intervening orders of business be laid on the table, and that said bill with the engrossed amendments be now read the third time.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

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The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Porter
Mr. Barlow	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. Spencer
Mr. Beers	Mr. Hard	Mr. Talcott
Mr. Denniston	Mr. Johnson	Mr. Williams

15

FOR THE NEGATIVE.

Mr. Burnham	Mr. Mitchell	Mr. J. B. Smith
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Lott	Mr. Sedgwick	Mr. Young

9

Said bill, with the engrossed amendments, was then read the third time.

Mr. President put the question on the final passage thereof, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Wright
Mr. Denniston	Mr. Putnam	Mr. Young

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FOR THE NEGATIVE.

Mr. Lott	Mr. Mitchell	Mr. J. B. Smith
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3

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

A bill was received from the Assembly entitled "An act to confirm the official acts of certain justices of the peace," with a message, informing that they had concurred in the amendment reported by the committee of conference, on the subject of disagreement between the two houses upon said bill, which said amendment was read in the words following to wit :

Strike out the fourth section of the bill and insert the following instead thereof.

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§ 4. The thirty-fourth section of the act entitled "An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts," passed May 10th, 1845, is hereby repealed.

Mr. Lott from said committee of conference on the part of the Senate, reported in favor of concurring in said amendment, which was agreed to by the Senate.

Thereupon,

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate do concur in said amendment.

Mr. Jones, from the select committee, to whom was referred the bill from the Assembly entitled "An act further to amend an act entitled 'An act to incorporate the New-York Fire Insurance Company of the city of New-York,' passed April 18, 1832," to consider and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Beekman,

The Senate agreed with the select committee of eight, in their report (complete) on the bill entitled "An act in relation to the temporary relief of the poor," and said bill was ordered to be engrossed for a third reading.

Mr. Putnam, from the select committee, to which was referred the bill from the Assembly entitled "An act to provide for the erection of a town house in the town of Darien, in the county of Genesee," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Folsom moved to suspend the special order of the day.

- Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Folsom	Mr. Wheeler
Mr. Chamberlain	Mr. Hard	Mr. Wright
Mr. Emmons	Mr. Putnam.	

8

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. Sanford
Mr. Barlow	Mr. Lester	Mr. S. Smith
Mr. Beekman	Mr. Lott	Mr. Spencer
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Hand	Mr. Sedgwick	

17

On motion of Mr. Spencer,

Ordered, That the select committee to whom was referred the bill from the Assembly, entitled "An act to authorize the election of three supervisors in the city of Utica," to consider and report complete, be discharged from the further consideration of said bill, and that the same be laid on the table.

A message was received from the Assembly, informing that they had passed four several bills with the following titles, to wit: "An act to authorize the appointment of a supreme court commissioner to reside at Greene, in the county of Chenango;" also "An act to authorize the appointment of a supreme court commissioner to reside at Albion, in the county of Orleans, and for other purposes;" also "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex;" also "An act to authorize the appointment of a supreme court commissioner to reside in the village of Le Roy, in the county of Genesee," without amendment.

Ordered, That the Clerk deliver said several bills to the Governor.

Three several bills were received from the Assembly for concurrence with the following titles, to wit: "An act to authorize the appointment of a supreme court commissioner to reside at Schuylerville in the county of Saratoga, and for other purposes;" also "An act to change the name of Mary E. Noyes, and to declare her the heir at law of Ogden Donington;" also "An act to amend an act entitled 'An act authorizing the appointment of a police justice to reside in the village of Lockport,'" passed March 21, 1840, which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act further to amend the act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate Cortland village," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Long-Island Horticultural Society," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence, entitled "An act supplementary to the act passed May 7th, 1844, entitled 'An act supplementary to the act entitled 'An act to provide for paying the debt and preserving the credit of the State,' passed March 29th, 1842,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act for the relief of the heirs of Thomas Mott," which was read the

first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to preserve fish in the lake or pond known as the Bynon Pond, in the towns of Bedford and North Castle, in Westchester county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled "An act to authorize Casper C. Childs to erect a dock adjoining his land on the Hudson river, in the village of Peekskill, county of Westchester," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled "An act declaring the river Saranac a public highway," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to amend an act to incorporate the Black River Annual Conference," passed April 17, 1841, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the keeping of gunpowder, saltpetre and certain other substances in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the Senators attending the Senate from the First Senate District.

Mr. President put the question upon the final passage of the engrossed bill entitled "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road, from Salina, in the county of Onondaga, to Central Square in the county of Oswego,' passed April 12th, 1844," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom		

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FOR THE NEGATIVE.

Mr. Porter	Mr. Wright	Mr. Young	3
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Mr. President put the question on the final passage of the engrossed bill entitled "An act to prevent frauds in inspections in the county of Erie."

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Beckman	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Hand	Mr. Sanford	Mr. Williams
Mr. Johnson		

13

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sedgwick
Mr. Beers	Mr. Lester	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Wright
Mr. Emmons	Mr. Putnam	Mr. Young
Mr. Folsom		

13

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence in the same respectively.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to authorize the establishment of a house of refuge for juvenile delinquents in Western New-York," with the engrossed amendments; and it was passed.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to incorporate the University of Rochester," with the engrossed amendments; and it was passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Barlow	Mr. Jones	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Wright
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Folsom		

25

Ordered, That the Clerk deliver the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith respectively delivered.

The bill from the Assembly entitled "An act to incorporate the Junction Canal Company," was read the third time.

Thereupon,

On motion of Mr. Johnson,

Ordered, That said bill be recommitted to the committee on canals, to consider and report complete, and that when said bill is reported, it retain its place in the order of third reading of bills.

Mr. Spencer moved that the bill from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany," with the engrossed amendments, be now read a third time.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. S. Smith
Mr. Beekman	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Chamberlain	Mr. Potter	Mr. Wheeler
Mr. Denniston	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. J. B. Smith	Mr. Young
Mr. Hand		

19

FOR THE NEGATIVE.

Mr. Emmons	Mr. Lester	Mr. Sedgwick
Mr. Hard	Mr. Putnam	Mr. Williams
Mr. Johnson		

7

The said bill with the engrossed amendments was then read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Sedgwick	Mr. Young

27

FOR THE NEGATIVE.

Mr. Johnson

Mr. Lester

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same, with the amendments therewith delivered.

Then the Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of New-London," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled "An act to amend the acts relative to the village of Liverpool," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Guilford Centre Woollen Manufacturing Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Brooklyn City Hospital," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the First Senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the American Agricultural Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the construction of a plank road from Glen's Falls to Caldwell, in the county of Warren," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to authorize the appointment of a supreme court commissioner to reside in the village of

Le Roy, in the county of ~~Greene~~ ;" also "An act to authorize the appointment of a supreme court commissioner to reside at Ticonderoga, in the county of Essex ;" also "An act to authorize the appointment of a supreme court commissioner to reside at Albion, in the county of Orleans, and for other purposes ;" also "An act to authorize the appointment of a supreme court commissioner to reside at Greene, in the county of Chenango."

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of James C. Ott," reported in favor of the passage thereof with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

Mr. Hard moved that the present and all intervening orders of business be laid on the table, to enable him to offer the following resolution.

Resolved, That the bill authorizing the Schenectady and Troy Railroad Company to extend their road to Utica, on the south side of the Mohawk, be taken from the general orders, and referred to the committee on railroads, to report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Emmons	Mr. Mitchell	Mr. Talcott
Mr. Hard	Mr. J. B. Smith	

8

FOR THE NEGATIVE.

Mr. Backus	Mr. Dayo	Mr. Porter
Mr. Beekman	Mr. Jones	Mr. Sedgwick
Mr. Denniston	Mr. Lou	Mr. Sanford

9

On motion of Mr. Sedgwick,

The bill from the Assembly entitled "An act to provide for the building of a free bridge across the Oswego river and Oswego canal, between the town of Schroepfel, in Oswego county, and the town of Lyander, in the county of Onondaga," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The engrossed bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Phoenix Bridge Company,' passed April 17, 1830," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Deyo	Mr. Putnam	Mr. Young
Mr. Emmons		

25

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to restore to the General Fund certain moneys paid for bounty on salt, coal, gypsum, lead and empty casks," which was ordered to a third reading.

The bill from the Assembly entitled "An act to prevent abuses in the administration of justice and bailing of prisoners in the county of Erie," with the engrossed amendments, was read the third time.

Mr. President put the question on the final passage thereof, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Porter	Mr. Wright

15

FOR THE NEGATIVE.

Mr. Clark	Mr. Hand	Mr. Talcott
Mr. Denniston	Mr. Johnson	Mr. Young
Mr. Deyo	Mr. Lester	

8

Thereupon,

Resolved, That the bill do pass.

The bill from the Assembly entitled "An act to incorporate the Ocean Steam Navigation Company," with the engrossed amendments, was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Barlow	Mr. Beekman
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Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Folsom
Mr. Hand

Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sedgwick

Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Wheeler
Mr. Wright

28

FOR THE NEGATIVE.

Mr. Clark
Mr. Johnson

Mr. Lester

Mr. Young

4

Ordered, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith delivered.

The Assembly returned the bill entitled "An act in relation to the collection of militia fines," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence entitled "An act to amend the act entitled 'An act to authorize the construction of a plank road from the city of Buffalo, in the county of Erie, to the village of Batavia, in the county of Genesee,' passed May 7, 1844," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cherry-Valley, in the county Otsego,' passed June 8, 1842," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly with the following titles, to wit: "An act to incorporate the University of Rochester;" also "An act to authorize the establishment of a house of refuge for juvenile delinquents in Western New-York," with a message informing that they had concurred in the amendments of the Senate to said several bills respectively, and had amended the same accordingly.

The said amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the reconstruction of certain locks on the Crooked Lake and Chemung Canal, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to the temporary relief of the poor," which was ordered to a third reading.

The bill from the Assembly entitled "An act to prevent fires along

the track of the Long-Island Railroad," with the engrossed amendments was read the third time.

Mr. President put the question on the final passage thereof, and said bill requiring the assent of two-thirds of the members elected to the Senate to pass the same, the ayes and nays were as follow :

FOR THE AFFIRMATIVE.

Mr. Beckman	Mr. Hard	Mr. Sedgwick
Mr. Burnham	Mr. Johnson	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Mitchell	Mr. Wheeler
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Spencer
Mr. Barlow	Mr. Porter	Mr. Young
Mr. Folsom		

7

Thereupon,

Before said vote was announced.

On motion of Mr. Hand,

Ordered, That said bill be referred to a select committee to consider, amend and report complete.

Ordered, That Mr. Hand, Mr. J. B. Smith and Mr. Lester, be such committee.

Mr. Talcott moved that the bill from the Assembly entitled "An act to enable Harrison Stevens, to take, hold and convey real estate," be now read a third time.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and recorded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Hand	Mr. Jones
Mr. Denniston	Mr. Hard	Mr. Sedgwick

5

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Mitchell
Mr. Barlow	Mr. Emmons	Mr. Porter
Mr. Beckman	Mr. Folsom	Mr. Spencer
Mr. Burnham	Mr. Johnson	Mr. Wheeler
Mr. Chamberlain	Mr. Lott	Mr. Young
Mr. Clark		

16

On motion of Mr. Lott,

Ordered, That the rules be suspended, to enable him to make the motion next mentioned.

On motion of Mr. Lott,

Resolved, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of Jonas A. Hughston," and that the amendments thereto be ordered engrossed, and the bill to a third reading.

Mr. Sanford, from the committee on canals, to whom was recommitted the bill from the Assembly entitled "An act to incorporate the Junction Canal Company," to consider, amend and report complete, reported the same complete, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Clark,

Ordered, That the select committee relative to the expenses on the northern section of the Champlain Canal, have leave to sit this evening during the session of the Senate.

On motion of Mr. Folsom,

The Senate then took a recess till half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The Senate met.

By unanimous consent,

Mr. Johnson, from the committee on claims, to whom was recommended the bill from the Assembly entitled "An act for the relief of Mordecai Ogden and John Durfee," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838," reported in favor of the passage without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the select committee, to whom was referred the bill from the Assembly entitled "An act in relation to the Brooklyn City Hospital," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Sanford,

Ordered, That the committee of the whole be discharged from the

further consideration of the bill entitled "An act for the relief of Claudius C. Beckett," and that said bill be engrossed for a third reading.

The engrossed bill entitled "An act to change the name of the Methodist Episcopal Church at Kingston, and for other purposes," was read the third time and passed: two-thirds of all the members selected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo		

22

The engrossed bill entitled "An act to authorize the establishment of an asylum for idiots," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Mitchell	

11

FOR THE NEGATIVE.

Mr. Beekman	Mr. Deyo	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Lester	Mr. Young
Mr. Denniston		

10

Mr. Johnson moved to reconsider the last mentioned vote, and that the last motion be laid on the table.

Mr. Lott moved that the Senate do now reconsider said vote.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Deyo	Mr. J. B. Smith	9
Mr. Burnham	Mr. Johnson	Mr. Talcott	
Mr. Denniston	Mr. Lester	Mr. Young	

FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell	12
Mr. Barlow	Mr. Folsom	Mr. Sedgwick	
Mr. Beekman	Mr. Hard	Mr. Sanford	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	

Thereupon,

Resolved, That the said bill do pass.

The engrossed bill entitled "An act to amend an act entitled 'An act in relation to the appointment of superintendents of the poor in the county of Westchester, and for other purposes,' passed May 6, 1845," was read the third time.

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford	17
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith	
Mr. Beekman	Mr. Jones	Mr. S. Smith	
Mr. Beers	Mr. Lott	Mr. Wheeler	
Mr. Denniston	Mr. Mitchell	Mr. Young	
Mr. Deyo	Mr. Sedgwick		

FOR THE NEGATIVE.

Mr. Johnson	1
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Thereupon,

Resolved, That the said bill do pass.

Two several engrossed bills with the following titles, to wit: "An act to authorize the board of supervisors of the county of Montgomery, to raise money in the town of Canajoharie, for roads and bridges;" also "An act to provide for the compensation of town officers in the county of Kings," were severally read the third time and passed.

The engrossed bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and Janette L. Beebe," was read the third time.

Mr President put the question on the final passage of said bill, and it was decided in the affirmative.

The yeas and nays having been moved and recorded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Mitchell
Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Burnham	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. Wheeler

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FOR THE NEGATIVE:

Mr. Beckman	Mr. Johnson	Mr. Talcott
Mr. Beers	Mr. Lester	Mr. Young
Mr. Denniston	Mr. S. Smith	

8

Thereupon,

Resolved, That said bill do pass.

Ordered, That the Clerk deliver the last six mentioned bills to the Assembly, and request their concurrence in the same respectively.

The bill from the Assembly entitled "An act for the relief of John Merriam and others," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act in relation to railroad charters," with the engrossed amendments, was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beckman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo		

22

Five several bills were received from the Assembly with the following titles, to wit : "An act to authorize the supervisors of Rockland county to erect a county building for certain purposes ;" also "An act in relation to imprisonment of attorneys and others upon execution ;" also "An act in relation to the stay of proceedings by bills of exceptions in actions of ejectment ;" also "An act to alter the terms of the county courts in the county of Chemung ; also "An act to authorize the appointment of a supreme court commissioner to reside at Sackett's Harbor, in the county of Jefferson," with the engrossed amendments thereto respectively, were severally read the third time and passed.

The bill from the Assembly entitled 'An act to incorporate the Buf-

also Savings Institutions," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo		

22

The bill from the Assembly entitled "An act to amend an act to incorporate the village of Dansville," passed May 7, 1845, with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Deyo	Mr. Mitchell	Mr. Young
Mr. Emmons		

22

Two several bills from the Assembly entitled "An act to prevent the destruction of oysters in the waters of Richmond county;" also "An act for the relief John Sanford and William Eggleston," with the engrossed amendments thereto respectively, were severally read the third time and passed.

The bill from the Assembly entitled "An act to provide for the calling of a convention in relation to the charter of the city of New-York," with the engrossed amendments, was read the third time, and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Johnson
Mr. Barlow	Mr. Denniston	Mr. Jones
Mr. Beekman	Mr. Deyo	Mr. Lester
Mr. Beers	Mr. Emmons	Mr. Lott
Mr. Burnham	Mr. Folsom	Mr. Mitchell

Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith

Mr. S. Smith
Mr. Talcott

Mr. Wheeler
Mr. Young

22

FOR THE NEGATIVE.

Mr. Hard

1

Ordered, That the Clerk return the last twelve mentioned bills to the Assembly, and inform them that the Senate have passed the same severally, with the amendments thereto respectively delivered, and with a respectful message informing that, in the opinion of the Senate, said last above mentioned bill requires the assent of two-thirds of all the members elected to each branch of the Legislature to pass the same.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the relief of Claudius C. Beckett," which was ordered to a third reading.

Two several bills from the Assembly, entitled "An act for the relief of certain purchasers of land in the second Oneida purchase of 1829;" also "An act to authorize the Commissioners of the Land Office to sell lands to Martin Pope," with the engrossed amendments thereto respectively, were severally read the third time and laid on the table.

Two several engrossed bills with the following titles, to wit: "An act declaring a part of a branch of the Hudson river, known as Trout brook a public highway;" also "An act to incorporate the Unitarian Association of the State of New-York," were severally read the third time and laid on the table.

The bill from the Assembly entitled "An act for the relief of Nelson Wolcott," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Reers
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo

Mr. Emmons
Mr. Folsom
Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Mitchell

Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith
Mr. Talcott
Mr. Wheeler
Mr. Young

22

Ordered, That the Clerk return the last mentioned bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act for the relief of Patrick Fitzsimmons and James Brady," with the engrossed amendments, was read the third time.

Mr. Clark moved to lay the question on the final passage of the said bill on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barnham	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Denniston	Mr. Lott	

11

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Wheeler
Mr. Deyo	Mr. Mitchell	Mr. Young
Mr. Emmons		

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On motion of Mr. Folsom,

Ordered, That the Senate proceed to the third reading of bills to-morrow morning, immediately after the reports of committees.

Then the Senate adjourned to 9 o'clock to-morrow morning.

FRIDAY, 9 O'CLOCK, A. M., MAY 8, 1846.

The Senate met pursuant to adjournment.

The minutes of yesterday having been read and approved,

Mr. Lott presented the remonstrance of H. & D. Coheal & Co. against the passage of the bill for the relief of the East River Mutual Insurance Company, which was read and laid on the table.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Storm Haight, John Blood and Asa W. Cady," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred two several bills from the Assembly with the following titles, to wit: "An act to incorporate Cortland village;" also "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cherry-Valley, in the

county of Otsego,' passed June 8, 1842," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and said bills severally ordered to a third reading.

Mr. Jones, from the committee on the division of towns and counties, to whom was referred two several bills from the Assembly entitled "An act to annex a part of the town of York to the the town of Leicester; also "An act to annex a part of lot number fifty-one in the town of Harford to the town of Virgil, in the county of Cortland," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and said bills were severally ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to authorize the appointment of a supreme court commissioner to reside at Schuylerville, in the county of Saratoga, and for other purposes," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act supplementary to the act passed May 7th, 1844, entitled 'An act supplementary to the act entitled 'An act to provide for paying the debt and preserving the credit of the State,' passed March 29th, 1842," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Beekman, from the committee on poor laws, to whom was referred the bill from the Assembly entitled "An act further to amend the act entitled 'An act relating to excise and to licensing retailers of intoxicating liquors,' passed May 14, 1845," reported in favor of the passage thereof, without amendment.

Mr. Porter moved that said bill be ordered to a third reading.

Mr J. B. Smith moved to lay said bill on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE

Mr. Burnham
Mr. Hard
Mr. Jones
Mr. Putnam

Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith

Mr. Wheeler
Mr. Williams
Mr. Wright

10

FOR THE NEGATIVE.

Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Lester
Mr. Lott
Mr. Porter

Mr. Sedgwick
Mr. Talcott
Mr. Van Schoonhoven
Mr. Young

13

Thereupon,

On motion of Mr. Lester,

Ordered, That said bill be referred to a select committee, to consider, amend and report complete, and that Mr. Lott, Mr. Beekman and Mr. Clark be such committee.

A bill was received from the Assembly entitled "An act to confirm the official acts of certain justices of the peace," with a message, informing that they had amended the said bill according to the amendments agreed upon by the two houses.

A bill was received from the Assembly entitled "An act to prevent abuses in the administration of justice and bailing of prisoners in the county of Erie," with a message informing that they had concurred in amendments of the Senate to the said bill, and had amended the same accordingly.

The said last two amended bills having been examined,

Ordered, That the Clerk return the same to the Assembly.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act in relation to the collection of militia fines."

Mr. J. B. Smith, from the committee on agriculture, to whom were referred two several bills from the Assembly entitled "An act to incorporate the Long-Island Horticultural Society," also "An act to incorporate the American Agricultural Association," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and said bills severally ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act declaring the river Saranac a public highway," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

Mr. Burnham, from the same committee, to whom was referred the bill from the Assembly entitled "An act to authorize overseers of highways to construct sidewalks and plant or set out trees along the side of highways," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the same committee, to whom was referred the bill from the Assembly, entitled "An act to authorize the construction of a plank road from Glen's Falls to Caldwell, in the county of Warren," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to change the name of Mary E. Noyes, and to declare her the heir at law of Ogden Donington," reported the same with amendments for the consideration of the Senate, which was committed to a committee of the whole.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the petition of the stockholders of the Farmers' Bank of Orleans, reported adverse to the prayer of the petitioners.

Mr. President put the question on agreeing with the said committee in their report, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beers
Mr. Denniston

Mr. Johnson
Mr. Lester
Mr. Porter

Mr. S. Smith
Mr. Talcott

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FOR THE NEGATIVE.

Mr. Backus
Mr. Beekman
Mr. Burnham
Mr. Chamberlain
Mr. Clark

Mr. Emmons
Mr. Folsom
Mr. Hand
Mr. Hard

Mr. Putnam
Mr. J. B. Smith
Mr. Wheeler
Mr. Young

13

Mr. Folsom, from the committee on Indian affairs, to whom was referred the petition of Susa Hendrick for relief, together with the report of the Commissioners of the Land Office thereon, reported adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

On motion of Mr. Folsom,

Ordered, That the said committee be discharged from the further consideration of the petition of Spencer H. Stafford, for compensation as attorney for the Oneida Indians, and that said petition be referred to the committee on finance.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act in relation to the Marine Hospital and its funds," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Barlow, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act to incorporate the Guilford Centre Woollen Manufacturing Company," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act to preserve fish in the lake or pond known as the Byron Pond, in the towns of Bedford and North Castle, in Westchester county," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Wheeler, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of John Rey-

nolds," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of the counties of Cattaraugus and Erie to raise money to build a bridge over the Cattaraugus creek," reported the same for the consideration of the Senate.

Thereupon,

On motion of Mr. Emmons,

Said bill was recommitted to the same committee to consider and report complete.

Mr. Folsom, from the committee on Indian affairs, to whom was referred the petition of Betsey Ludovick for relief, made a written report thereon, and asked for and obtained leave to report a bill entitled "An act for the relief of Betsey Ludovick, an Indian woman," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 137.]

Mr. Lester, from the select committee on the apportionment, asked for and obtained leave to report a bill entitled "An act for the arrangement of the Senate districts of this State," which was read the first time, and by unanimous consent was also read a second time, and laid on the table.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Lester,

The Senate agreed with the committee in their report upon the bill entitled "An act in relation to actions against railroad corporations," and said bill was ordered to be engrossed for a third reading.

Mr. Lott, from the select committee, to whom was referred the bill from the Assembly entitled "An act in relation to the keeping of gunpowder, saltpetre and certain other substances in the city of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

A bill was received from the Assembly entitled "An act to incorporate the Ocean Steam Navigation Company," with a message informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled "An act to defray the expenses incurred in the apprehension of certain criminals," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in by the Senate.

Thereupon,

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have concurred in their amendments to said bill, and have amended the same accordingly.

Mr. Mitchell, from the select committee, to whom was referred the bill entitled "An act to incorporate the Saratoga and Schuylerville Railroad and Draining Company," to consider and report complete, reported the same without amendment, which was laid on the table.

By unanimous consent,

On motion of Mr. J. B. Smith,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to the loans of the year one thousand seven hundred and ninety-two," and that said bill be referred to a select committee to consider and report complete.

The President named, and thereupon,

Ordered, That Mr. J. B. Smith, Mr. Lester and Mr. Talcott be such committee.

Mr. Hard asked the unanimous consent of the Senate to offer the following resolution :

Resolved, That the bill authorizing the Schenectady and Troy Railroad Company to extend their road to Utica, on the south side of the Mohawk river, be taken from the general orders, and referred to the committee on railroads, to report complete.

Mr. Jones objected.

Mr. Hard then moved to suspend the rules for the purpose of offering said resolution.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Scovil	Mr. Wheeler
Mr. Hand	Mr. J. B. Smith	Mr. Williams
Mr. Hard	Mr. S. Smith	Mr. Wright
		15

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Porter
Mr. Beekman	Mr. Folsom	Mr. Sedgwick
Mr. Burnham	Mr. Jones	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. Young
		12

Mr. Hard then offered said resolution.

Mr. President put the question on agreeing to said resolution, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beers	Mr. Putnam	Mr. Van Schoonhoven
Mr. Clark	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. J. B. Smith	Mr. Williams
Mr. Hard	Mr. Talcott	Mr. Wright
Mr. Mitchell		

13

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Porter
Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Burnham	Mr. Johnson	Mr. Sanford
Mr. Denniston	Mr. Jones	Mr. Young
Mr. Deyo	Mr. Lott	

14

By unanimous consent,

On motion of Mr. Van Schoonhoven,

Said last mentioned bill was made the special order of the day for this afternoon, at half past three o'clock.

Mr. Clark moved that the present and all intervening orders of business be laid on the table, and that the Senate resolve itself into a committee of the whole on the bill entitled "An act to reduce the expenses of canal repairs."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Wright
Mr. Emmons		

13

FOR THE NEGATIVE.

Mr. Beekman	Mr. Hand	Mr. Sanford
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Williams
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Folsom	Mr. Sedgwick	

14

Mr. Putnam asked the unanimous consent of the Senate to offer a resolution recommitting to the committee on canals the bill from the Assembly entitled "An act to provide for draining certain lands in the town of Black-Rock."

Mr. Denniston objected.

Mr. Putnam then moved to suspend the rules to enable him to offer said resolution.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Folsom	Mr. Porter
Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Young
Mr. Deyo	Mr. Mitchell	

14

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act for the relief of Patrick Fitzsimmons and James Brady," with the engrossed amendments, and it was decided in the negative, a majority not voting therefor.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. Talcott
Mr. Burnham	Mr. Putnam	Mr. Van Schoonhoven

12

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Denniston	Mr. Lott	Mr. S. Smith
Mr. Emmons	Mr. Mitchell	Mr. Wheeler
Mr. Hand	Mr. Porter	Mr. Young

12

Mr. Van Schoonhoven moved to reconsider the vote just taken, and then moved that the last motion be laid on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative, a majority not voting therefor.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Talcott
Mr. Burnham	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Jones	Mr. Williams
Mr. Clark	Mr. Putnam	
		14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Emmons	Mr. Mitchell	Mr. Young
Mr. Hand	Mr. Porter	
		14

Mr. President then put the question on reconsidering the vote on the final passage of said bill, and it was decided in the negative, a majority not voting therefor.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven
Mr. Clark	Mr. Sedgwick	Mr. Williams
Mr. Deyo	Mr. Sanford	Mr. Wright
		15

FOR THE NEGATIVE.

Mr. Barlow	Mr. Folsom	Mr. Mitchell
Mr. Beekman	Mr. Hand	Mr. Porter
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Wheeler
Mr. Emmons	Mr. Lott	Mr. Young
		15

Thereupon,

Resolved, That the said bill do not pass.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate do not concur in the passage of said bill.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to incorporate the Junction Canal Company," with the engrossed amendments, and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Young
Mr. Deyo	Mr. Porter	

23

The bill from the Assembly entitled "An act for the relief of Asenath Mouglin," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Putnam
Mr. Barlow	Mr. Emmons	Mr. Sedgwick
Mr. Beekman	Mr. Folsom	Mr. Sanford
Mr. Beers	Mr. Hand	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Wright

24

The bill from the Assembly entitled "An act to incorporate the Prison Association of New-York," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Emmons		

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FOR THE NEGATIVE.

• Mr. Lester

1

The bill from the Assembly entitled "An act to incorporate the St. David's Benevolent Society of the cities of New-York and Brooklyn," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Sanford
Mr. Barlow	Mr. Emmons	Mr. J. B. Smith
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Porter	Mr. Williams
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Denniston	Mr. Sedgwick	Mr. Young

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Mr. President put the question on the final passage of the bill from the Assembly entitled "An act for the relief of certain purchasers of lands in the second Oneida purchase of 1829," with the engrossed amendments, and the same was passed.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act authorizing the Commissioners of the Land Office to sell lands to Martin Pope," with the engrossed amendments, and the same was passed.

The bill from the Assembly entitled "An act to incorporate the Gemileth Chessed, or Hebrew Mutual Benefit Society of the city of New-York," with the engrossed amendments, and changing the title so as to read, "An act to incorporate the Hebrew Mutual Benefit Society of the city of New-York," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. J. B. Smith
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Jones	Mr. Talcott
Mr. Beers	Mr. Lott	Mr. Van Schoonhoven
Mr. Burnham	Mr. Porter	Mr. Wheeler
Mr. Chamberlain	Mr. Putnam	Mr. Williams
Mr. Clark	Mr. Sedgwick	Mr. Wright
Mr. Denniston	Mr. Sanford	Mr. Young
Mr. Deyo		

25

The bill from the Assembly entitled "An act for the benefit and re-

lief of Francis Englishbee," with the engrossed amendments, was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Wheeler
Mr. Clark	Mr. Lester	Mr. Williams
Mr. Denniston	Mr. Lott	Mr. Wright
Mr. Deyo	Mr. Mitchell	Mr. Young
Mr. Emmons	Mr. Porter	

26

The bill from the Assembly entitled "An act for the relief of Henry Heath," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the last nine mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith respectively delivered.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act incorporating the village of Sag Harbor, passed March 26, 1846,'" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

On motion of Mr. J. B. Smith,

Said bill was read the third time, and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lester	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Emmons	Mr. Putnam	Mr. Wright
Mr. Folsom		

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Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company,' passed April 12th,

1844," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Barlow	Mr. Hand,	Mr. S. Smith
Mr. Beekman	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Putnam	Mr. Wright
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Emmons	Mr. Sanford	

26

Mr. President put the question on the final passage of the engrossed bill entitled "An act declaring a part of a branch of the Hudson river known as Trout brook a public highway," and said bill was passed.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to incorporate the Unitarian Association of the State of New-York," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Jones	Mr. Wheeler
Mr. Chamberlain	Mr. Lott	Mr. Williams
Mr. Clark	Mr. Mitchell	Mr. Wright
Mr. Denniston	Mr. Porter	Mr. Young
Mr. Deyo		

25

Ordered, That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence in the same respectively.

The Assembly returned the bill entitled "An act in relation to the jurisdiction of the justices' court," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Afterwards,

A message was received from the Governor, informing that he had this day approved and signed said bill.

Five several bills were received from the Assembly with the following titles, to wit: "An act to authorize the supervisors of Rockland county to erect a county building for certain purposes;" also "An act in relation to imprisonment of attorneys and others upon execution;" also "An act for the relief of John Sanford and William Eggleston;" also "An act

to prevent the destruction of oysters in the waters of Richmond county;" also "An act to authorize the appointment of a supreme court commissioner to reside at Sackett's Harbor, in the the county of Jefferson," with a message informing that they had concurred in the amendments of the Senate to the said bills respectively, and had amended the same accordingly.

The said amended bills having been examined.

Ordered, That the Clerk return the said bills to the Assembly.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to actions against railroad corporations," which was ordered to a third reading.

The bill from the Assembly entitled "An act for the benefit of the Jefferson Insurance Company in the city of New-York," with the engrossed amendments, was read the third time, and requiring the assent of two-thirds of all the members elected to the Senate to pass the same, the ayes and nays were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Emmons	Mr. Putnam	Mr. Young
Mr. Folsom	Mr. Sedgwick	

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Clark	Mr. Van Schoonhoven
Mr. Beers	Mr. Lester	Mr. Wheeler
Mr. Chamberlain	Mr. Mitchell	Mr. Wright

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Whereupon, before said vote was announced,

Mr. Chamberlain moved that the call be suspended, and that said bill be laid on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Beers	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark		

10

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Lott	Mr. S. Smith
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Deyo	Mr. Sanford	Mr. Young
Mr. Folsom		

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Mr. Sanford then asked that the absentees be called!

Mr. Van Schoonhoven being called, asked to be excused from voting on the final passage of said bill.

Mr. President put the question on excusing Mr. Van Schoonhoven, and it was decided in the negative.

Mr. Sanford then moved that said call be suspended, and that said bill be laid on the table.

Mr. President put the question on agreeing to the last motion, and was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Beers	Mr. Mitchell	Mr. S. Smith
Mr. Burnham	Mr. Porter	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Sedgwick	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Williams
Mr. Hand		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Folsom	Mr. Talcott
Mr. Beekman	Mr. Johnson	Mr. Wright
Mr. Denniston	Mr. Lott	Mr. Young
Mr. Deyo	Mr. Putnam	

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Then the Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

A bill was received from the Assembly for concurrence, entitled "An act for relief of Daniel H. Deleslie," which was read the first time, and

by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly entitled "An act in relation to the staying of proceedings by bills of exceptions in actions of ejectment," with a message informing that they had concurred in the amendments of the Senate to the said bill, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly entitled "An act to authorize the Canal Board to assume in behalf of the State the Danesville slip and basin," with a message, informing that they had concurred in all the amendments of the Senate to said bill except the fourth section, and as to that they non-concur, and request a committee of conference upon said amendment which is the subject of disagreement between the two Houses: and if the Senate consent to such conference, that Mr. Perkins, Mr. Fullerton, Mr. Viele, Mr. Grinnell and Mr. Bailey be of said committee on the part of the Assembly, which was laid on the table.

A bill was received from the Assembly entitled "An act for the relief of John Merriam and others," with a message informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

The said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

By unanimous consent,

Mr. Putnam, from the committee on commerce and navigation, to whom was referred the bill from the Assembly entitled "An act to authorize Casper C. Childs to erect a dock adjoining his land on the Hudson river, in the village of Peekskill, county of Westchester," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Chamberlain,

Resolved, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act for the relief of William A. Mills and Hezekiah Johnson," and that the same, as amended by the committee on claims, be ordered to a third reading.

Mr. Beekman moved that the Senate do now proceed to the consideration of Executive business.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Denniston
Mr. Folsom

Mr. Johnson
Mr. Porter

Mr. Talcott
Mr. Young

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[SENATE JOURNAL.]

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Wright
		15

The Senate then, pursuant to order, resolved itself into a committee of the whole on the bill from the Assembly entitled "An act to authorize the Schenectady and Troy Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk river, to the city of Utica," and after some time spent thereon, Mr. President resumed the chair, and Mr. Barlow, from said committee, reported progress, and asked for leave to sit again.

Mr. Van Schoonhoven moved that the said bill be referred to the committee on railroads, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beckus	Mr. Emmons	Mr. Van Schoonhoven
Mr. Barlow	Mr. Hard	Mr. Wheeler
Mr. Beers	Mr. Mitchell	Mr. Williams
Mr. Chamberlain	Mr. Sedgwick	Mr. Young
Mr. Clark	Mr. S. Smith	
		14

FOR THE NEGATIVE.

Mr. Denniston	Mr. Lott	Mr. Sanford
Mr. Deyo	Mr. Porter	Mr. J. B. Smith
Mr. Folsom		
		7

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for the relief of Elizabeth, alias Betsey Ludovick, an Indian woman," which was ordered to a third reading.

On motion of Mr. Mitchell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend the charter of the German Evangelical Society in the county of Herkimer, and to confirm the official acts of John Dygert, commissioner of deeds, in taking the acknowledgment of the certificate and act of incorporation," and that the same be ordered to a third reading.

On motion of Mr. Beekman,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Schoe-

nectady and Catskill Railroad Company" and that the same be referred to a select committee to consider and report complete.

The President named, and thereupon,

Ordered, That Mr. Beekman, Mr. Denniston and Mr. Mitchell be said committee.

On motion of Mr. Williams,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company," and that the same be referred to a select committee, to consider and report complete.

Thereupon,

Ordered, That Mr. Williams, Mr. Denniston and Mr. Mitchell be such committee.

Mr. Van Schoonhoven moved the reconsideration of the vote of yesterday, on agreeing with the committee on banks and insurance companies on the bill from the Assembly entitled "An act in relation to bank issues," which motion was laid on the table.

On motion of Mr. J. B. Smith,

The Senate then took a recess till half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The Senate met.

Three several bills were received from the Assembly with the following titles, to wit: "An act to incorporate the Hebrew Mutual Benefit Society of the city of New-York;" also "An act to incorporate the St. David's Benevolent Society of the cities of New-York and Brooklyn;" also "An act in relation to railroad charters," with a message informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

The said amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Henrietta Plank Road Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act for the relief of George W. Hildreth and others," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act further to amend an act entitled 'An act to incorporate the Greenwood Cemetery,' passed April 18th, 1838," which was read the first time,

and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the First Senate District.

The Assembly examined and returned the bill entitled "An act to defray the expenses incurred in the apprehension of certain criminals."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act to amend the act entitled 'An act incorporating the Susquehannah Bridge Company of the village of Binghamton,'" with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A report from the Canal Commissioners on the bill and petition of Jonas Ingraham, was received, read, and with said bill referred to the committee on claims.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 138.]

Mr. Hand asked for and by unanimous consent obtained leave to bring in a bill entitled "An act for the appointment of a railroad commissioner," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Mr. Hand, from the select committee, to whom was referred the bill from the Assembly entitled "An act to prevent fires along the track of the Long-Island railroad," to consider, amend and report complete, reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Beers asked the unanimous consent of the Senate to offer a resolution to refer the several bills relative to tenures, &c. to a select committee, to report complete.

Mr. Chamberlain objected.

Mr. Beers then moved to suspend the rules, to enable him to offer said resolution.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Porter	Mr. Talcott
Mr. Beers	Mr. Sedgwick	Mr. Williams
Mr. Denniston	Mr. S. Smith	Mr. Wright
Mr. Johnson		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Emmons	Mr. Scovil	

11

The bill from the Assembly entitled "An act to annex the towns of Nunda and Portage to the county of Livingston," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act abolishing the office of inspector of the Onondaga Salt Springs, and for other purposes," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the two last mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments thereto therewith delivered.

The engrossed bill entitled "An act further to amend the 'Act to abolish imprisonment for debt and to punish fraudulent debtors' passed April 26, 1831," was read the third time and passed.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The engrossed bill entitled "An act to restore to the General Fund certain moneys paid for bounty on salt, coal, gypsum, lead and empty casks," was read the third time.

Debates being had, but without taking the question on the final passage of said bill,

On motion of Mr. Hard,

The Senate adjourned to 9 o'clock to-morrow morning.

SATURDAY, 9 O'CLOCK, A. M., MAY 2, 1846

The Senate met pursuant to adjournment.

The minutes of yesterday having been read and approved,

Two several bills were returned from the Assembly, with the following titles, to wit: "An act for the relief of certain purchasers of lands in the second Oneida purchase of 1829," and also "An act to incorporate the Prison Association of New-York," with a message informing that they had concurred in the amendments of the Senate to the said bills respectively, and had amended the same accordingly.

Said amended bills having been examined,

Ordered, That the Clerk return the said bills to the Assembly.

A copy of a resolution was received from the Assembly and read, as follows:

Resolved, (if the Senate concur,) That the Secretary of State and Comptroller be directed to procure the Senate and Assembly documents and journals, with the indexes thereto, to be bound in boards, with leather backs and covers, and lettered for the members, officers, deputy clerks and reporters of the Senate and Assembly; for which purpose, the said Secretary of State and Comptroller shall advertise in three

newspapers published in the city of Albany, for at least two successive weeks, for sealed proposals, and shall accept of and contract with the person or persons making the most favorable proposals for the State. And the said Secretary of State and Comptroller shall, with all convenient despatch, cause the said documents, with the journals of the Senate and Assembly, to be forwarded to the several county clerks, for the use of the members and other persons entitled thereto. The expense of carrying out this resolution shall be paid from the contingent expenses of the Senate and Assembly.

Mr. Mitchell moved to amend said resolution, by inserting in the fifth line, after the word "Assembly," the words, "and also the documents and journals to be full bound for the Senate and Assembly libraries."

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

Mr. President put the question on agreeing to the passage of said resolution, as amended, and it was decided in the affirmative.

Thereupon,

Ordered, That the Clerk return said copy resolution to the Assembly, and inform them that the Senate have concurred therein, with the amendments therewith delivered.

By unanimous consent,

On motion of Mr. Wright,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to authorize the board of supervisors of the county of Schoharie to levy a tax upon the town of Carlisle for the relief of James Dana, William Young and David A. Richtmeyer," and that the amendments be engrossed and the bill to a third reading.

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to provide for the construction of a railroad from Schenectady to the New-York and Erie railroad in the county of Chenango or Broome," and that said bill be recommitted to the committee on railroads, to consider and report complete.

Mr. Beers presented the affidavit of Charles Blackman relative to the claim of C. Blackman and others, which was read and referred to the committee of the whole having in charge the bill to which it relates.

Mr. Lott presented the remonstrance of A. Dimmick and others, inhabitants of Sullivan county against the passage of a bill for building a bridge over the Neversink river, which was read and laid on the table.

Mr. Beers moved that the present and all intervening orders of business be laid on the table, to offer the following resolution:

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to abolish distress for rent, and for other purposes," and the bill entitled "An act to equalize taxation," and that said bills be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Deyo	Mr. Lester
Mr. Beers	Mr. Hard	Mr. Talcott
Mr. Denniston	Mr. Johnson	Mr. Wright

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FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Porter	Mr. Young
Mr. Emmons	Mr. Sedgwick	

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Mr. Beers then moved that the present and all intervening orders of business be laid on the table, to enable him to offer the following resolution :

Resolved, That the judiciary committee be discharged from the further consideration of the Assembly bill entitled "An act to amend the statutes of devises and descents, and to extinguish certain tenures," and that the same be ordered to a third reading, and the final vote be taken thereon on the 12th of May instant, at twelve o'clock at noon, without debate.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	Mr. Wright
Mr. Deyo		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Scovil
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Mitchell	Mr. Young
Mr. Emmons	Mr. Porter	

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Mr. Hard asked for and by unanimous consent obtained leave to bring

in a bill entitled "An act in relation to the assets of the Farmers' Bank of Orleans," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Johnson, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of Jonas Ingraham," together with the report of the Canal Commissioners, reported in favor of the passage of said bill, with an amendment, which was agreed to by the Senate, and the amendment ordered engrossed, and the bill to a third reading.

Mr. Hand, from the committee on grievances, to whom was referred the bill from the Assembly entitled "An act for relief of Daniel H. Deleslie," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to amend 'An act to incorporate the Black River Annual Conference,' passed April 17, 1841," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to incorporate the Henrietta Plank Road Company," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Williams, from the select committee, to whom was referred the bill from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company," to consider and report complete, reported the same, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the select committee, consisting of the Senators attending the Senate from the First Senate district, to whom was referred the bill from the Assembly entitled "An act further to amend 'An act to incorporate the Greenwood Cemetery,' passed April 18th, 1838," reported in favor of the same, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

On motion of Mr. Lott,

Ordered, That the said bill do now have its third reading.

Thereupon,

Said bill was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman

Mr. Beers
Mr. Burnham
Mr. Chamberlain

Mr. Clark
Mr. Denniston
Mr. Deyo

Mr. Emmons	Mr. Mitchell	Mr. Spencer
Mr. Hand	Mr. Porter	Mr. Talcott
Mr. Hard	Mr. Sedgwick	Mr. Wheeler
Mr. Johnson	Mr. Sanford	Mr. Williams
Mr. Jones	Mr. J. B. Smith	Mr. Wright
Mr. Lott	Mr. S. Smith	Mr. Young

27

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. J. B. Smith, from the select committee, to whom was referred the bill entitled "An act in relation to the loans of the year one thousand seven hundred and ninety-two," to consider and report complete, reported the same complete with amendments, which was agreed to by the Senate; and the bill ordered engrossed for a third reading.

Mr. Beekman, from the select committee, to whom was referred the bill entitled "An act to incorporate the Schenectady and Catskill Railroad Company," to consider and report complete, reported the same complete with amendments, which was agreed to by the Senate, and the bill ordered engrossed for a third reading.

Mr. Talcott, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Albany Trust and Savings Bank," reported in favor of the passage of the same, with amendments, which was committed to a committee of the whole.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to authorize the supervisors of the counties of Cattaraugus and Erie to raise money to build a bridge over the Cattaraugus creek," reported the same complete without amendment.

On motion of Mr. Emmons,

Ordered, That the further consideration of the said bill be indefinitely postponed.

By unanimous consent,

On motion of Mr. Burnham,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to amend and revive an act entitled 'An act to incorporate the Utica and Susquehannah Railroad Company,' passed April 25, 1832," and that said bill be referred to a select committee to consider and report complete.

The President announced, and thereupon,

Ordered, That Mr. Burnham, Mr. Johnson and Mr. Mitchell, be such committee.

On motion of Mr. Van Schoonhoven,

The Senate proceeded to the further consideration of the report (complete,) of the committee on manufactures upon the bill entitled "An act to incorporate the Troy Vulcan Works."

Mr. Van Schoonhoven then withdrew the motion heretofore made by

him, to strike to out the 9th section of said bill, which was read in the words following, to wit :

§ 9. The stockholders of said company shall be jointly and severally personally liable for all debts incurred or contracted by said company whilst they shall be stockholders thereof ; but no suit shall be brought against any stockholder or stockholders for the recovery of any such debt until after an execution shall have been returned unsatisfied in whole or in part upon a judgment recovered therefor in a suit brought against said company in their corporate capacity.

Mr. Clark then moved to amend said 9th section by striking out in the 2d and 3d lines thereof the words, "for all debts incurred or contracted by said company whilst they shall be stockholders thereof," and to insert in lieu thereof the words, "to pay any and all sums that shall or may become due to any operatives for said company for labor performed for said corporation."

Mr. Porter asked a division of the question.

Mr. President put the question on striking out as aforesaid, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE

Mr. Backus	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young

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Mr. Van Schoonhoven then moved to amend the report by striking out said 9th section and inserting in lieu thereof the second section of chapter 39, of the laws of 1844.

Mr. Lester asked a division of the question.

Mr. President put the question on striking out, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Spencer	

11

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Sanford
Mr. Beekman	Mr. Jones	Mr. J. B. Smith
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Burnham	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Scovil	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Hand		

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Mr. Van Schoonhoven then moved to amend the said report by striking out said 9th section.

Mr. President put the question on agreeing to said motion, and it was decided in the negative:

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer
Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven

6

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sanford
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Scovil	Mr. Wright
Mr. Deyo	Mr. Sedgwick	Mr. Young

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Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Beekman	Mr. Beers
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Mr. Burnham
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Hand
Mr. Johnson

Mr. Jones
Mr. Lester
Mr. Porter
Mr. Scovil
Mr. Sedgwick
Mr. Sanford

Mr. J. B. Smith
Mr. S. Smith
Mr. Talcott
Mr. Williams
Mr. Wright
Mr. Young

21

FOR THE NEGATIVE.

Mr. Young

1

Thereupon,

Said bill was ordered to be engrossed for a third reading.

On motion of Mr. Van Schoonhoven,

The Senate then proceeded to the further consideration of the report (complete) of the committee on manufactures, upon the bill entitled "An act to incorporate the Troy Gas Light Company."

Mr. Van Schoonhoven moved to amend said report by striking out the 10th section of said bill, which was read in the words following, to wit:

§ 10. The stockholders of said company shall be jointly and severally personally liable for all debts incurred by said company whilst they shall be stockholders thereof; but no suit shall be brought against any stockholder or stockholders for the recovery of any such debt, until after an execution shall have been returned unsatisfied in whole or in part upon a judgment recovered therefor in a suit brought against said company in their corporate capacity.

And to insert in lieu thereof the second section of chapter 39, of the laws of 1844.

Mr. Johnson asked a division of the question.

Mr. President put the question on striking out said section, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Chamberlain
Mr. Emmons

Mr. Hard
Mr. Putnam

Mr. Spencer
Mr. Van Schoonhoven

7

FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Clark
Mr. Denniston
Mr. Deyo

Mr. Hand
Mr. Johnson
Mr. Jones
Mr. Lester
Mr. Lott
Mr. Porter
Mr. Scovil

Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith
Mr. Talcott
Mr. Wright
Mr. Young

21

Mr. President put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sanford	
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith	
Mr. Beers	Mr. Jones	Mr. S. Smith	
Mr. Burnham	Mr. Lester	Mr. Talcott	
Mr. Clark	Mr. Porter	Mr. Wright	
Mr. Denniston	Mr. Scovil	Mr. Young	
Mr. Deyo	Mr. Sedgwick		20

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. Spencer	
Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Emmons			7

Thereupon,

Said bill was ordered to be engrossed for a third reading.

Mr. Beekman, from the committee on railroads, to whom was referred the bill entitled "An act for the appointment of a railroad commissioner," reported in favor of the passage thereof, without amendment.

On motion of Mr. Putnam,

Ordered, That the said bill be referred to a select committee to consist of one Senator from each Senate District, to consider and report complete.

Thereupon,

Ordered, That Mr. Hand, Mr. Burnham, Mr. Clark, Mr. Wright, Mr. S. Smith, Mr. Lott and Mr. Backus be such committee.

Mr. Hard, from the same committee, to whom was referred the bill from the Assembly entitled "An act to provide for the construction of a railroad from Schenectady to the New-York and Erie railroad, in the county of Chenango or Broome," to report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the same committee to whom was recommitted the bill from the Assembly entitled "An act to authorize the Schenectady and Troy Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk river, to the city of Utica," to consider and report complete, reported the same without amendment.

Mr. J. B. Smith moved to lay said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Scovil
Mr. Barlow	Mr. Emmons	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Denniston		

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FOR THE NEGATIVE.

Mr. Beers	Mr. Porter	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Williams
Mr. Hard	Mr. Sedgwick	Mr. Wright
Mr. Johnson	Mr. S. Smith	Mr. Young
Mr. Lester	Mr. Talcott	

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Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to provide for the compensation of jurors in the city and county of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the select committee of eight, on the subject of the apportionment, asked for and obtained leave to report a bill entitled "An act for the arrangement of Senate districts," which was read the first time, and by unanimous consent was also read a second time, and laid on the table.

Ordered, That the usual number of copies of said bill be printed.

On motion of Mr. Putnam,

Ordered, That the committee on commerce and navigation be discharged from the further consideration of sundry petitions in favor of the Niagara Canal and Hydraulic Company, and that the same be laid on the table.

On motion of Mr. Putnam,

Ordered, That the committee of the whole be discharged from the further consideration of the two several bills entitled "An act to provide for the payment of services rendered as district attorney in certain cases under an appointment by the court;" also "An act to amend an act passed April 25, 1832, entitled 'An act regulating suits on bills of exchange and promissory notes,'" and that said bills be engrossed for a third reading.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act to provide for the reconstruction of certain locks on the Crooked Lake and Chemung Canal, and for other purposes," reported in favor of the passage thereof, with amendments, Mr. Scovil dissenting, moved that the same be ordered to a third reading.

Mr. Wright moved that the same be committed to a committee of the whole.

Mr. President put the question on agreeing to said last motion, and it was decided in the affirmative.

Ordered, That the usual number of copies of said bill and amendments, be printed.

Mr. Denniston, from the committee on canals, to whom was referred the bill from the Assembly entitled "An act further to provide for the preservation of the public works," reported in favor of the passage thereof, Mr. Denniston dissenting, moved that the same be committed to a committee of the whole.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Talcott	
Mr. Beekman	Mr. Johnson	Mr. Wright	
Mr. Denniston	Mr. Porter	Mr. Young	
Mr. Deyo	Mr. S. Smith		11

FOR THE NEGATIVE.

Mr. Backus	Mr. Lott	Mr. Sanford	
Mr. Chamberlain	Mr. Mitchell	Mr. Spencer	
Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Scovil	Mr. Wheeler	
Mr. Hard	Mr. Sedgwick	Mr. Williams	15

Mr. Chamberlain moved that the said bill be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lott	Mr. Sanford	
Mr. Chamberlain	Mr. Mitchell	Mr. Spencer	
Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Emmons	Mr. Scovil	Mr. Wheeler	
Mr. Hard	Mr. Sedgwick	Mr. Williams	15

FOR THE NEGATIVE.

Mr. Barlow	Mr. Beekman	Mr. Denniston
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Mr. Deyo
Mr. Hand
Mr. Johnson

Mr. Porter
Mr. S. Smith
Mr. Talcott

Mr. Wright
Mr. Young

11

Thereupon,

Ordered, That said amendments be engrossed and the bill to a third reading.

On motion of Mr. Barlow,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to trials in courts of common law jurisdiction," and that the amendments thereto be agreed to, and the said bill, as amended, be engrossed for a third reading.

Mr. Van Schoonhoven moved that the committee of the whole be discharged from the further consideration of two several bills from the Assembly with the following titles, to wit: "An act to equalize taxation:" also "An act to abolish distress for rent, and for other purposes," and that said bills be referred to a select committee, to consider and report complete.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston

Mr. Deyo
Mr. Emmons
Mr. Hard
Mr. Johnson
Mr. Lester
Mr. Putnam

Mr. Sedgwick
Mr. J. B. Smith
Mr. Talcott
Mr. Van Schoonhoven
Mr. Williams
Mr. Wright

19

FOR THE NEGATIVE.

Mr. Backus
Mr. Hand
Mr. Jones
Mr. Lott

Mr. Mitchell
Mr. Porter
Mr. Sanford
Mr. S. Smith

Mr. Spencer
Mr. Wheeler
Mr. Young

11

Mr. President named, and thereupon

Ordered, That Mr. Beers, Mr. Lester and Mr. Wright, be such committee.

On motion of Mr. Lott,

The bill from the Assembly entitled "An act authorizing the mayor and common council of the city of Brooklyn to create a loan for the

purpose of building a city hall in said city," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson	Mr. Sanford
Mr. Barlow	Mr. Jones	Mr. J. B. Smith
Mr. Beekman	Mr. Lott	Mr. S. Smith
Mr. Chamberlain	Mr. Mitchell	Mr. Spencer
Mr. Clark	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Van Scheonhoven
Mr. Deyo	Mr. Scovil	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Wright
Mr. Hand		

25

FOR THE NEGATIVE.

Mr. Young

1

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

On motion of Mr. Lott,

Resolved, That the Senate will hold a session this afternoon, commencing at half past three o'clock, for the third reading of such bills as will not lead to discussion, and for no other purpose whatever.

Then the Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the State Prisons at Auburn and Mount-Pleasant," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on State prisons.

Seven several bills were received from the Assembly with the following titles, to wit: "An act to alter the terms of the county courts of the county of Chemung;" also "An act for the relief of Asenath Mougins;" also "An act to provide for the calling of a convention in relation to the charter of the city of New-York;" also "An act to amend 'An act to incorporate the village of Dansville,' passed May 7, 1845;" also "An act to authorize the Commissioners of the Land Office to sell lands to Martin Pope;" also "An act for the relief of Henry Heath," also "An

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act for the benefit and relief of Francis Englishbee," with a message informing that they had concurred in the amendments of the Senate to the said bills, and had amended the same accordingly; and had passed the bill thirdly above mentioned by a vote of two-thirds of all the members elected to the Assembly.

The said amended bills having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors," with a message informing that had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' passed April 12, 1844," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to defray the expenses incurred in the apprehension of certain criminals;" and the bill entitled "An act to amend the act entitled 'An act incorporating the Susquehannah Bridge Company in the village of Binghampton.'"

The Assembly returned the bill entitled "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe," with a message informing that they had passed the same without amendment.

The Assembly also returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company in the city of Albany,' passed April 12th, 1844," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver the last two mentioned bills to the Governor.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act in relation to the appointment of assignees and trustees of non-resident, absconding, insolvent or imprisoned debtors;" also "An act for the relief of Isaac Thompson, William Thompson, Lewis Beebe and James L. Beebe;" also "An act to amend an act entitled 'An act to incorporate the Albany Hydrant Company in the city of Albany,' passed April 12th, 1844;" also the bill entitled "An act to amend an act entitled 'An act to authorize the construction of a timber, plank or hard road, from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' passed April 12, 1844."

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed five several bills entitled "An act in relation to the loans of the year one thousand seven hundred and ninety-two;" also "An act relative to trials in courts of common law jurisdiction;" also "An act to amend an act passed April 25th, 1832, entitled 'An act regulating suits on bills of exchange and promissory notes,'" also "An act to

provide for the payment of services rendered as district attorney under an appointment by the court;" also "An act in relation to the assets of the Farmers Bank of Orleans," which were severally ordered to a third reading.

On motion of Mr. Hard,

Said last mentioned bill was read the third time.

Mr. President put the question on the final passage of the said bill, and it was passed.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. Mitchell	
Mr. Beekman	Mr. Emmons	Mr. Spencer	
Mr. Burnham	Mr. Hand	Mr. Wheeler	
Mr. Chamberlain	Mr. Hard		11

FOR THE NEGATIVE.

Mr. Beers	Mr. Johnson	Mr. Porter	
Mr. Denniston	Mr. Lester	Mr. Talcott	6

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence in the same.

A bill was received from the Assembly entitled "An act to provide for the building of a free bridge across the Oswego river and Oswego canal, between the town of Schroepfel, in Oswego county, and the town of Lyander, in the county of Onondaga," with a message, informing that they had concurred in the amendments of the Senate to said bill, with an amendment, which was read.

Thereupon,

On motion of Mr. Porter,

The Senate concurred in said amendment of the Assembly to the amendments of the Senate to said bill.

Ordered, That the Clerk return said bill to the Assembly, with a message accordingly.

Mr. President put the question on the final passage of the engrossed bill entitled "An act to restore to the General Fund certain moneys paid for bounty on salt, coal, gypsum, lead and empty casks," and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. J. B. Smith	
Mr. Beekman	Mr. Johnson	Mr. S. Smith	
Mr. Beers	Mr. Jones	Mr. Williams	
Mr. Denniston	Mr. Lester	Mr. Wright	
Mr. Deyo	Mr. Porter		14

FOR THE NEGATIVE.

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Emmons

Mr. Hard
Mr. Lott
Mr. Mitchell
Mr. Sanford

Mr. Talcott
Mr. Wheeler
Mr. Young

11

Mr. Hard moved to reconsider the last mentioned vote.

Thereupon,

On motion of Mr. Hard,

Ordered, That the last motion be laid on the table.

By unanimous consent,

On motion of Mr. Burnham,

Ordered, That the bill entitled "An act to incorporate the Chenango Junction Canal Company," be recommitted to the committee on canals to consider, amend and report complete, and that when reported, said bill retain its present place in the order of the third reading of bills.

A bill was received from the Assembly entitled "An act to incorporate the Buffalo Savings Institution," with a message, informing that they had concurred in the amendments of the Senate to the said bill, and had amended the same accordingly.

Said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled "An act to provide for the compensation of town officers in the county of Kings," with a message, informing that they had passed the same without amendment.

Ordered, That the Clerk deliver the same to the Governor.

A message was received from the Assembly, informing that they had passed the bill entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14, 1845, and for other purposes," with the amendments therewith delivered.

Mr. Putnam moved to amend the amendments of the Assembly to said bill, by adding thereto the following, to wit: "but the said company shall not commence the construction of their said railroad on a line or route along the Valley of the Delaware river, and across the said river to the Pennsylvania side thereof, before the 15th day of February next."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Clark
Mr. Deyo

Mr. Hand
Mr. Putnam
Mr. S. Smith

Mr. Talcott
Mr. Wright
Mr. Young

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FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Hard	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Sanford
Mr. Burnham	Mr. Lester	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Williams

18

Mr. President then put the question on concurring in the amendments of the Assembly to said bill, and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beekman	Mr. Jones	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Mitchell	Mr. Williams
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Emmons	Mr. Sedgwick	

23

FOR THE NEGATIVE.

Mr. Putnam	1
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Ordered, That the Clerk deliver said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act for the benefit of the Jefferson Insurance Company in the city of New-York," with the engrossed amendments, and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Wright
Mr. Emmons		

25

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to prevent fires along the track of the

Long-Island Railroad," with the engrossed amendments, and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lester	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Wright
Mr. Emmons	Mr. Sedgwick	Mr. Young

24

The bill from the Assembly entitled "An act to amend the charter of the city of Rochester," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Sedgwick	Mr. Young

27

The bill from the Assembly entitled "An act for the benefit of the North American Fire Insurance Company," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. Sanford	

26

FOR THE NEGATIVE.

Mr. Lester

1

The bill from the Assembly entitled "An act to reduce the capital stock of the Firemen's Insurance Company in the city of New-York, and for other purposes," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Barlow	Mr. Lott	Mr. S. Smith
Mr. Burnham	Mr. Mitchell	Mr. Spencer
Mr. Chamberlain	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Hand		

22

FOR THE NEGATIVE.

Mr. Johnson

1

The bill from the Assembly entitled "An act for the benefit of the Manhattan Fire Insurance Company in the city of New-York," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Barlow	Mr. Jones	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Emmons	Mr. Sanford	

23

The bill from the Assembly entitled "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Burnham	Mr. Deyo
Mr. Barlow	Mr. Chamberlain	Mr. Emmons
Mr. Beers	Mr. Denniston	Mr. Hand

Mr. Jones	Mr. Sedgwick	Mr. Talcott	
Mr. Lott	Mr. Sanford	Mr. Wheeler	
Mr. Mitchell	Mr. J. B. Smith	Mr. Williams	
Mr. Porter	Mr. S. Smith	Mr. Young	
Mr. Putnam	Mr. Spencer		23

FOR THE NEGATIVE.

Mr. Lester	1
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The bill from the Assembly entitled "An act for the benefit of the Merchants' Fire Insurance Company," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith	
Mr. Barlow	Mr. Jones	Mr. S. Smith	
Mr. Beers	Mr. Lott	Mr. Spencer	
Mr. Burnham	Mr. Mitchell	Mr. Talcott	
Mr. Chamberlain	Mr. Porter	Mr. Wheeler	
Mr. Denniston	Mr. Putnam	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Emmons	Mr. Sanford		23

FOR THE NEGATIVE.

Mr. Lester	1
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The bill from the Assembly entitled "An act to change the corporate name of the Mutual Insurance Company of the city of New-York, and to reduce its capital," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith]	
Mr. Barlow	Mr. Jones	Mr. S. Smith	
Mr. Beers	Mr. Lott	Mr. Spencer	
Mr. Burnham	Mr. Porter	Mr. Talcott	
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler	
Mr. Denniston	Mr. Sedgwick	Mr. Williams	
Mr. Deyo	Mr. Sanford	Mr. Young	
Mr. Emmons			22

FOR THE NEGATIVE.

Mr. Clark	1
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The bill from the Assembly entitled "An act in relation to the fees of county treasurers," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act for the benefit of the United States Fire Insurance Company in the city of New-York," with the engrossed amendments, was read the third time and passed; two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Talcott
Mr. Chamberlain	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. Sanford	

26

The bill from the Assembly entitled "An act for the benefit of the Howard Insurance Company of New-York," with the engrossed amendments, was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Barlow	Mr. Lott	Mr. S. Smith
Mr. Burnham	Mr. Mitchell	Mr. Spencer
Mr. Chamberlain	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sedgwick	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Hand		

22

FOR THE NEGATIVE.

Mr. Johnson

1

The bill from the Assembly entitled "An act for the benefit of the Eagle Fire Company of New-York, in the city of New-York," with the engrossed amendments, was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Burnham	Mr. Denniston
Mr. Barlow	Mr. Chamberlain	Mr. Deyo

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Mr. Emmons
Mr. Hand
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter

Mr. Putnam
Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith
Mr. S. Smith

Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Young

22

FOR THE NEGATIVE.

Mr. Johnson

1

The bill from the Assembly entitled "An act further to amend 'An act to incorporate the New-York Fire Insurance Company of the city of New-York,' passed April 18, 1832," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Hand
Mr. Jones
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sedgwick
Mr. Sanford

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Young

22

FOR THE NEGATIVE.

Mr. Johnson

1

Ordered, That the Clerk return the last fourteen mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith respectively delivered.

The bill from the Assembly entitled "An act to amend and revive an act entitled 'An act to incorporate the Elmira and Williamsport Railroad Company,' passed April 21st, 1832," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beers
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Hand
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sanford

Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Wright
Mr. Young

23

The bill from the Assembly entitled "An act to change the name of the Bethel Baptist Church in Williamsburgh," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Young
Mr. Emmons	Mr. Sedgwick	

25

The bill from the Assembly entitled "An act for the relief of Zenas Higgins," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Porter
Mr. Barlow	Mr. Hand	Mr. Putnam
Mr. Beers	Mr. Hard	Mr. Sedgwick
Mr. Burnham	Mr. Johnson	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Lott	Mr. Wheeler
Mr. Denniston	Mr. Mitchell	Mr. Williams
Mr. Deyo		

22

The bill from the Assembly entitled "An act to incorporate the University of Buffalo," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Chamberlain	Mr. Mitchell	Mr. Williams
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Emmons	Mr. Sanford	

23

FOR THE NEGATIVE.

Mr. Johnson	Mr. Porter	1
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The bill from the Assembly entitled "An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the county of Richmond," was read the third time and passed.

The bill from the Assembly entitled "An act to authorize the recording of wills of real estate, and of exemplifications of judgment records and decrees in partition suits, and for other purposes," was read the third time and passed.

The bill from the Assembly entitled "An act authorizing the election of trustees of public lands in the town of East Chester, and defining their duties," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson	Mr. J. B. Smith
Mr. Barlow	Mr. Jones	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Wright
Mr. Emmons	Mr. Sanford	Mr. Young
Mr. Hand		

25

The bill from the Assembly entitled "An act to provide for the election of superintendents of the poor and other officers, by the people in the county of Onondaga," was read the third time and passed.

The bill from the Assembly entitled "An act to incorporate the Ogdensburgh and Heuvelton Plank Road Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Beers	Mr. Lott	Mr. Spencer
Mr. Burnham	Mr. Mitchell	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Wright
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo		

25

The bill from the Assembly entitled "An act to incorporate the Aurora and Buffalo Plank Road Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Barlow	Mr. Beers
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Mr. Burnham	Mr. Hard	Mr. Sanford
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith
Mr. Clark	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Mitchell	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Wheeler
Mr. Emmons	Mr. Putnam	Mr. Williams
Mr. Hand	Mr. Sedgwick	Mr. Young

24

Two several bills from the Assembly entitled "An act requiring the land agent in the fifteenth township of the town of Norwich, Chenango county, to give bond for the faithful discharge of his duty;" also "An act to abolish the office of trustees of the gospel and school lots, and to transfer the powers and duties of the same to the town superintendent of common schools," were severally read the third time and passed.

Ordered, That the Clerk return the last twelve mentioned bills to the Assembly, with a message informing them that the Senate have passed the same severally without amendment, and also informing that in the opinion of the Senate said bill for the relief of Zenas Higgins requires the assent of two-thirds of all the members elected to each branch of the Legislature to pass the same.

The engrossed bill entitled "An act for the benefit of the National Fire Insurance Company in the city of New-York," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Sedgwick	Mr. Young

24

FOR THE NEGATIVE.

Mr. Lester

1

The engrossed bill entitled "An act for the benefit of the New-York Equitable Insurance Company of the city of New-York," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Barlow	Mr. Burnham
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Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Hand
Mr. Jones

Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sedgwick
Mr. Sanford
Mr. J. B. Smith

Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Young

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FOR THE NEGATIVE.

Mr. Lester.

1

Ordered, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence in the same.

The bill from the Assembly entitled "An act for the benefit of the New-York Contributionship Insurance Company," with the engrossed amendments, was read the third time and laid on the table.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act relative to incorporations for manufacturing purposes,' passed March 22, 1811," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence entitled "An act concerning quarantine and regulations in the nature of quarantine at the port of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the First Senate District.

Two several bills were received from the Assembly for concurrence entitled "An act to authorize the construction of a railroad from Syracuse to Rochester;" also "An act to provide for the construction of a railroad from Buffalo to the New-York and Erie railroad in the county of Cattaraugus," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on railroads.

Mr. Putnam asked for and by unanimous consent obtained leave to bring in a bill entitled "An act in relation to railroad companies," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to provide for the compensation of town officers in the county of Kings."

Mr. Johnson, by unanimous consent, gave notice that he would at some future day ask leave to introduce a bill in relation to the western branch of the Schoharie Turnpike Company.

Mr. Young moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Johnson	Mr. Sedgwick
Mr. Clark	Mr. Lott	Mr. J. B. Smith
Mr. Deyo	Mr. Putnam	Mr. Young

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FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Spencer
Mr. Chamberlain	Mr. Porter	Mr. Williams
Mr. Denniston		

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By unanimous consent,
On motion of Mr. Lester,

Resolved, That the Secretary of State report to the Senate the names of the county clerks from whom the statements of their fees, required by law to be transmitted to him by the 10th day of January last, have not been received; and that he specify in his report such of the defaulting clerks as are still in office.

Mr. J. B. Smith moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Lott	Mr. S. Smith
Mr. Denniston	Mr. Porter	Mr. Talcott
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Johnson	Mr. J. B. Smith	Mr. Young

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FOR THE NEGATIVE.

Mr. Backus	Mr. Burnham	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Lester	

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Then the Senate adjourned until Monday morning at 9 o'clock.

MONDAY, 9 O'CLOCK, A. M., MAY 11, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The minutes of Saturday having been read and approved,

A bill was received from the Assembly for concurrence entitled "An act relative to the village of Medina," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The Assembly returned the bill entitled "An act in relation to the fees of county treasurers," with a message informing that they had concurred in the amendments of the Senate to said bill, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned four several bills with the following titles, to wit: "An act to authorize the board of supervisors of the county of Montgomery to raise money in the town of Canajoharie for roads and bridges;" also "An act to amend the charter of the Canandaigua and Corning Railroad Company;" also "An act to amend the act entitled 'An act to incorporate the Cayuga and Susquehannah Railroad Company,' passed April 18, 1843;" also "An act for the relief of the Auburn and Rochester Railroad Company," with a message informing that they had passed the same respectively without amendment.

Ordered, That the Clerk deliver the last four mentioned bills to the Governor.

Mr. S. Smith presented the remonstrance of citizens of Sullivan county against the bill to raise money by tax to build a bridge across the Neversink river, in the town of Fallsburgh, which was read and laid on the table.

¶ Mr. Jones presented the remonstrance of inhabitants of the city of New-York against the bill relative to the inspection of hops, which was referred to the committee of the whole, having in charge the bill to which it relates.

Three several bills were received from the Assembly with the following titles, to wit: "An act to incorporate the Junction Canal Company;" also "An act abolishing the office of inspector of the Onondaga salt springs, and for other purposes;" and also "An act to provide for the building of a free bridge across the Oswego river and Oswego canal, between the town of Schroepfel, in Oswego county, and the town of Lysander, in the county of Onondaga," with a message informing that they had concurred in the amendments of the Senate to the said bills respectively, and had amended the same accordingly.

Said amended bills having been examined, -

Ordered, That the Clerk return the same to the Assembly.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to authorize the construction

of a railroad from Syracuse to Rochester," reported in favor of the passage thereof, without amendment, and moved that said bill be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Chamberlain	Mr. Hard	Mr. Talcott
Mr. Clark	Mr. Lester	Mr. Van Schoonhoven
Mr. Emmons	Mr. Sedgwick	Mr. Wheeler
Mr. Folsom	Mr. Sanford	

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FOR THE NEGATIVE.

Mr. Beers	Mr. Jones	Mr. Porter
Mr. Denniston	Mr. Lott	Mr. Putnam
Mr. Deyo		

7

Thereupon,

Said bill was ordered to a third reading.

Mr. Wheeler, from the committee on claims, to whom was referred the bill from the Assembly entitled "An act for the relief of John Whitehead," reported the same for the consideration of the Senate.

Thereupon,

On motion of Mr. Clark,

Said bill was ordered to a third reading.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed two several bills entitled "An act to incorporate the Schenectady and Catskill Railroad Company;" also "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain to Boonville" which were severally ordered to a third reading.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18th, 1843, and for other purposes," reported the same with amendments for the consideration of the Senate.

On motion of Mr. Emmons,

Said amendments were ordered engrossed, and the bill to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to authorize the construction of a plank road from the city of Buffalo, in the county of Erie, to the village of Batavia, in

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the county of Genesee,' passed May 7, 1844," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Porter,

The committee on finance was discharged from the further consideration of the petition of the Hudson Fire Insurance Company for the passage of a law to correct erroneous taxes, &c., and said petition was referred to the committee of the whole, having in charge the bill to which it relates.

Mr. Lott, from the committee on the judiciary, to whom was referred the petition of Lewis Bastido and N. B. Kingsland, that the State assume the defence of a suit brought against them for carrying passengers on the Cayuga and Seneca canal, reported adverse to the prayer of the petitioners, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioners be denied.

Mr. Lott, from the same committee, to whom was referred the petition of Ralph Burt, a trustee of school district No. 10, in the town of Linklaen, for relief, reported adverse to the prayer of the petitioner, which was agreed to by the Senate.

Thereupon,

Resolved, That the prayer of the petitioner be denied.

On motion of Mr. Lott,

Ordered, That said committee be discharged from the further consideration of the petition of Mathew Colvert, of McDonough, Chenango county, for an act to confirm his official acts as a justice of the peace, and that said petition be laid on the table.

On motion of Mr. Talcott,

Ordered, That the committee on retrenchment be discharged from the further consideration of the copy account of the county clerk of Madison county, as audited and allowed by the board of supervisors of said county, and that said copy account be laid on the table.

Mr. Hard, from the committee on railroads, to whom was referred the bill entitled "An act in relation to railroad corporations," reported in favor of the passage thereof, with amendments.

Thereupon,

On motion of Mr. Putnam,

Ordered, That the said original bill referred to the said committee, be ordered engrossed for a third reading, without amendment.

On motion of Mr. Sedgwick,

Ordered, That the said amendments be introduced as a new bill with a like title.

Thereupon,

The said last mentioned bill entitled "An act in relation to railroad corporations," was read the first time, and by unanimous consent was also read a second time.

On motion of Mr. Sedgwick,

Ordered, That the said last mentioned bill be recommitted to the committee on railroads, to consider and report complete.

A bill was received from the Assembly entitled "An act to amend

the charter of the city of Rochester," with a message, informing that they had concurred in the amendments of the Senate to the said bill, and had amended the same accordingly.

Said amended bill having been examined.

Ordered, That the Clerk return the same to the Assembly.

Mr. Beers, from the select committee, to whom was referred the bill entitled "An act to abolish distress for rent, and for other purposes," to consider and report complete, in writing reported the same without amendment.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 140.]

Mr. Lott moved to amend said report by striking out the 1st section of said bill which was as follows:

§ 1. Distress for rent is hereby abolished."

And to insert in lieu thereof, the following:

§ 1. The right to distrain for rent accruing on any lease hereafter to be made, is abolished, except on leases where the right to distrain is specially reserved in the lease."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Porter	Mr. Spencer
Mr. Chamberlain	Mr. Sanford	Mr. Wheeler
Mr. Lott		

7

FOR THE NEGATIVE.

Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Beers	Mr. Hard	Mr. Talcott
Mr. Clark	Mr. Johnson	Mr. Van Schoonhoven
Mr. Denniston	Mr. Lester	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Young
Mr. Emmons	Mr. Scovil	

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Mr. Hand then moved to amend said report by adding to said first section the words following:

"But this section shall not be deemed to affect leases or grants in

writing now in force, in which the right of distress is reserved by the express terms of the lease."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Porter	Mr. Spencer	
Mr. Hand	Mr. Putnam	Mr. Wheeler	
Mr. Jones	Mr. Sanford	Mr. Young	
Mr. Lott	Mr. S. Smith		11

FOR THE NEGATIVE.

Mr. Barlow	Mr. Denniston	Mr. Lester	
Mr. Beekman	Mr. Deyo	Mr. Scovil	
Mr. Beers	Mr. Emmons	Mr. Sedgwick	
Mr. Burnham	Mr. Folsom	Mr. Talcott	
Mr. Chamberlain	Mr. Hard	Mr. Van Schoonhoven	
Mr. Clark	Mr. Johnson		17

Mr. Lott then moved to amend said report by striking out said first section, and to insert in lieu thereof the words following:

"The right to distrain for rent accruing on any leases hereafter made is abolished."

A division of the question was asked for.

Mr. President put the question on striking out, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lott	Mr. S. Smith	
Mr. Folsom	Mr. Porter	Mr. Spencer	
Mr. Hand	Mr. Putnam	Mr. Wheeler	
Mr. Jones	Mr. Sanford	Mr. Young	12

FOR THE NEGATIVE.

Mr. Barlow	Mr. Denniston	Mr. Lester	
Mr. Beekman	Mr. Deyo	Mr. Scovil	
Mr. Beers	Mr. Emmons	Mr. Sedgwick	
Mr. Burnham	Mr. Hard	Mr. Talcott	
Mr. Chamberlain	Mr. Johnson	Mr. Van Schoonhoven	
Mr. Clark			16

Mr. Lott then moved to amend said report by striking out the third section of said bill, as follows :

§ 3. Notwithstanding the tenant may have sufficient property, whereof the rent might have been made by distress, but for the provision contained in the preceding sections of this act, the right of re-entry, fifteen days previous notice in writing, that unless the rent due is paid within fifteen days the right of re-entry will be enforced, having been given, shall be and is hereby preserved to the landlord in all cases where the same now exists by law.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lott	Mr. S. Smith
Mr. Chamberlain	Mr. Porter	Mr. Spencer
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Sanford	Mr. Young
Mr. Hand		

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FOR THE NEGATIVE.

Mr. Barlow	Mr. Denniston	Mr. Lester
Mr. Beekman	Mr. Emmons	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. Talcott
Mr. Burnham	Mr. Johnson	Mr. Van Schoonhoven

12

Mr. Johnson moved to reconsider the vote last taken.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Deyo	Mr. Lester
Mr. Beers	Mr. Emmons	Mr. Sedgwick
Mr. Burnham	Mr. Hard	Mr. Talcott
Mr. Denniston	Mr. Johnson	Mr. Van Schoonhoven

12

FOR THE NEGATIVE.

Mr. Backus	Mr. Barlow	Mr. Chamberlain
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Mr. Clark
Mr. Folsom
Mr. Hand
Mr. Jones
Mr. Lott

Mr. Porter
Mr. Putnam
Mr. Scovil
Mr. Sanford

Mr. S. Smith
Mr. Spencer
Mr. Wheeler
Mr. Young

1

Mr. Clark then moved to amend said report by striking out the second section of said bill, which was read as follows :

§2. The twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections of the fourth title of the first chapter of the second part of the Revised Statutes are hereby repealed.

Debates being had, but without taking the question thereon,

Then the Senate took a recess till half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

The Senate proceeded to the further consideration of the bill entitled "An act to abolish distress for rent, and for other purposes."

Mr. President put the question on agreeing to the motion of Mr. Clark to strike out said section, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Clark

Mr. Folsom
Mr. Jones

Mr. Spencer

5

FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Hand
Mr. Johnson
Mr. Lester
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Scovil

Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams

22

Mr. Lott moved to insert the following in the place of the third section heretofore stricken out :

§ 3. Whenever the right of re-entry is reserved and given to a grantor or lessor in any grant or lease in default of a sufficiency of goods and chattels, whenever to distrain for the satisfaction of any rent due, such re-entry may be made at any time after default in the payment of such rent ; provided fifteen days previous notice of such intention to re-enter in writing be given by such grantor or lessor, or his heirs or assigns, to the grantee or lessee, his heirs, executors, administrators or assigns, notwithstanding there may be a sufficiency of goods and chattels on the lands granted or devised for the satisfaction thereof, the said notice may be served personally on such grantee or lessee, or by leaving it at his dwelling house on the premises.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

Thereupon,

The report of the said committee, as amended, was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the enrolment of the militia, and to encourage the formation of uniform companies," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

A bill was received from the Assembly for concurrence, entitled "An act to consolidate and amend the act entitled 'An act to incorporate the city of Brooklyn, passed April 8, 1834,' and the various acts amendatory thereof," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages, to consider and report complete.

A report of the Secretary of State, of the names of county clerks who did not report their fees in 1846, was received, read and referred to the Governor.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 141.]

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the S. S. Seward Institute," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to authorize the board of supervisors of the county of Montgomery to raise money in the town of Canajoharie for roads and bridges;" also "An act to amend the charter of the Canandaigua and Corning Railroad Company;" also "An act for the relief of the Auburn and Rochester Railroad Company;" also "An act to amend the act entitled 'An act to in-

corporate the Cayuga and Susquehannah Railroad Company,' passed April 18th, 1843."

Mr. Sanford, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to incorporate the Chenango Canal Company," to consider, amend and report complete, reported the same complete with amendments, which was agreed to by the Senate, and the said amendments ordered engrossed, and the bill to a third reading.

The Assembly returned the bill entitled "An act to annex the towns Nunda and Portage to the county of Livingston," with a message informing that they had concurred in the amendments of the Senate to the said bill, and had amended the same accordingly.

The said amended bills having been examined,

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act to erect the town of Gilbertsville, in the county of Otsego," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled "An act to confirm certain official acts of commissioners for loaning certain moneys of the United States of the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to provide for building a bridge across the Rondout creek, above the High falls in the town of Marbrietown, Ulster county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act relating to the New-York and Harlaem Railroad Company,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the levying a tax in the town of Parishville to build a town house," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled "An act to provide for the levying a tax on the town of Pierrepont to build a bridge," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A bill was received from the Assembly for concurrence entitled "An act to reduce the rate of interest," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to alter the commissioners map of the city of Brooklyn, and for

other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee consisting of the Senators attending the Senate from the First Senate District.

A bill was received from the Assembly for concurrence entitled "An act to authorize the mayor, aldermen and commonalty of the city of New-York, to raise money by loan, and to create a public fund or stock to be called 'building loan stock No. 2,'" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the First Senate district.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Boonville and Western Turnpike Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Lyons Cemetery Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled "An act to authorize the Reformed Sanctity Church in Germantown, Columbia county, to sell part of their real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A message was received from the Assembly, informing that they do not concur in the passage of the bill entitled "An act to authorize the establishment of an asylum for idiots."

Ordered, That the said bill be laid on the table.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to authorize the New-York and New-Haven Railroad Company to extend their railroad from the Connecticut line to the New-York and Harlem Railroad."

A bill was received from the Assembly entitled "An act for the relief of Zenas Higgins," with a message, informing that they had passed the same by a vote of two-thirds of all the members elected to the Assembly, and had amended the certificate appended to said bill accordingly.

The said bill and certificate having been examined,

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the Schenectady Cemetery Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly entitled "An act authorizing the Sixth Principle Baptist Society of the town of Brookfield to sell their meeting house and lot," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

The Assembly returned the bill entitled "An act to authorize the

New-York and New-Haven Railroad Company to extend their railroad from the Connecticut line to the New-York and Harlaem railroad," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Jones,

The bill from the Assembly entitled "An act to amend an act entitled 'An act to amend an act relating to the New-York and Harlem Railroad Company,' passed May 14th, 1845," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Scovil	Mr. Young
Mr. Emmons		

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Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Beers, from the select committee, to whom was referred the bill from the Assembly entitled "An act to equalize taxation," to consider and report complete, in writing reported the same without amendment.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 139.]

Mr. Lott moved to lay the said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Porter	Mr. Williams
Mr. Emmons	Mr. Scovil	Mr. Young
Mr. Folsom		

19

FOR THE NEGATIVE.

Mr. Beekman	Mr. Deyo	Mr. Sedgwick
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Putnam	Mr. Van Schoonhoven

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A message was received from the Assembly, informing that they had passed the bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," with the amendments therewith delivered.

Mr. President put the question on agreeing to said amendments, and requiring the assent of two-thirds of all the members elected to the Senate in favor thereof, the ayes and nays were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. Sanford
Mr. Burnham	Mr. Jones	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. S. Smith
Mr. Clark	Mr. Porter	Mr. Spencer
Mr. Deyo	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	

20

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Talcott
Mr. Beers	Mr. Johnson	Mr. Young
Mr. Denniston	Mr. Lester	

8

Whereupon, before the vote was announced,

On motion of Mr. Jones,

The call was suspended, and the question of concurring in said amendments was laid on the table.

Mr. Young, from the committee on Literature, to whom was referred the bill from the Assembly entitled "An act to incorporate the S. S. Seward Institute," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

A bill was received from the Assembly entitled "An act further to amend an act entitled 'An act to incorporate the Greenwood Cemetery,' passed April 18th, 1838," with a message informing that they had concurred with the Senate in their amendment thereto, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly examined and returned the bill entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad, passed May 14, 1845,' and for other purposes."

Ordered, That the Clerk deliver the said bill to the Governor.

Mr. Burnham, from the select committee, to whom was referred the bill from the Assembly entitled "An act to amend and revive an act entitled 'An act to incorporate the Utica and Susquehannah Railroad Company,' passed April 25th, 1832," to consider and report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to amend the statutes of devises and descents and to extinguish certain tenures," reported in favor of the passage thereof, with amendments, which was committed to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the usual number of copies of said amendments be printed.

Mr. Jones, from the joint library committee on the part of the Senate, asked for and obtained leave to report a bill, which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

Mr. Denniston moved to lay the present and all intervening orders of business on the table, and that the Senate resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to provide for the reconstruction of the locks on the Crooked Lake and Chemung Canal, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo		

10

FOR THE NEGATIVE.

Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Scovil	Mr. Young
Mr. Emmons	Mr. Sedgwick	

17

Mr. Van Schoonhoven moved that the Senate do now proceed to the further consideration of the report complete of the committee on railroads upon the bill from the Assembly entitled "An act to authorize the Schenectady and Troy Railroad Company to extend their road

from the city of Schenectady, on the south side of the Mohawk river, to the city of Utica."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Chamberlain	Mr. Lester	Mr. S. Smith
Mr. Emmons	Mr. Mitchell	Mr. Talcott
Mr. Hard	Mr. Scovil	Mr. Van Schoonhoven
Mr. Johnson	Mr. Sedgwick	11

FOR THE NEGATIVE.

Mr. Backus	Mr. Deyo	Mr. Putnam
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. Spencer
Mr. Burnham	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Porter	Mr. Young
Mr. Denniston		16

Mr. Clark, from a majority of the select committee, appointed to enquire into the management of and expenditures on the northern section of the Champlain Canal and Glen's Falls feeder, and also upon the report of the Commissioners of the Canal Fund, relative to the Canal superintendent at Syracuse, made a written report thereon, concluding the following resolutions.

Resolved, That the proofs in this case show that James H. Sherrill, superintendent on the northern section of the Champlain canal, has been guilty of such interference, [in elections, &c.] and of improperly absenting himself from the performance of his duties on the canals; and that of charging for and receiving pay from the State for time thus spent in violation of and in neglect of his duties as such superintendent, therefore,

Resolved, That the Canal Board be requested to remove the said James H. Sherrill from such office of superintendent.

Resolved, That canal officers and agents, in interfering with the action of hands employed on the canals, or other State works, or in inducing them in any way, directly or indirectly, to attend or to stay away from any political meeting or election, are guilty of a violation of their duties as such officers and agents; do an injury to the character of the State works, violate the purity of the elective franchise, and subvert the rights and privileges of the electors of the State.

Resolved, That any superintendent, foreman, or other officer or agent, on the canals or public works, who shall so interfere, should

Ordered, That the Clerk deliver the said bill to the Governor.

Mr. Burnham, from the select committee, to whom was referred bill from the Assembly entitled "An act to amend and revise entitled 'An act to incorporate the Utica and Susquehanna Company,' passed April 25th, 1832," to consider and report reported the same without amendment, which was agreed Senate, and the bill ordered to a third reading.

Mr. Lott, from the committee on the judiciary, to whom referred the bill from the Assembly entitled "An act to amend tutes of devises and descents and to extinguish certain tenu in favor of the passage thereof, with amendments, whi mitted to a committee of the whole.

On motion of Mr. Lott,

Ordered, That the usual number of copies of said bill printed.

Mr. Jones, from the joint library committee on the part asked for and obtained leave to report a bill, which was time, and by unanimous consent was also read a second ordered to be engrossed for a third reading.

Mr. Denniston moved to lay the present and all for of business on the table, and that the Senate resolve mittee of the whole on the bill from the Assembly en provide for the reconstruction of the locks on the Chemung Canal, and for other purposes."

Mr. President put the question on agreeing to said decided in the negative.

The ayes and nays having been moved and low :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson
Mr. Beers	Mr. Lester
Mr. Denniston	Mr. Porter
Mr. Deyo	

FOR THE NEGATIVE.

Mr. Barlow	Mr. Folsom
Mr. Beekman	Mr. Hard
Mr. Burnham	Mr. Lott
Mr. Chamberlain	Mr. Putnam
Mr. Clark	Mr. Scovil
Mr. Emmons	Mr. Sedgwick

Mr. Van Schoonhoven moved that the further consideration of the report com roads upon the bill from the Assembly the Schenectady and Troy Railroad

entitled "An
Hallsburgh and
first time, and
referred to the

ence entitled "An
ny of the western
move their toll gate
s read the first time,
time, and referred to
ending the Senate from

affairs, to whom was
aida Indian, for indem-
the Indians, reported ad-
was agreed to by the Se-

ner be denied.

for concurrence entitled "An
incorporate the Port Ontario
, which was read the first time,
ad a second time, and ordered

from the Assembly, and read in

) That a joint committee of three
ber of the Senate, and two mem-
the accounts of the Treasurer, the
eking Department, and that they have
e Legislature.

to concur in the said resolution.

deliver a copy of said resolution of con-

tee on railroads be discharged from the
petition of inhabitants of Ontario county,
tion of freight upon railroads, also the reso-
zenovia, on the subject of transporting the
at said petition and resolutions be laid on the

committee on charitable and religious societies,
bill from the Assembly entitled "An act au-
iple Baptist Society of the town of Brookfield,
se and lot," reported against the passage thereof,
o a committee of the whole.
committee on finance, to whom was referred the

be promptly removed and discharged from the employment of the State, by the Canal Board or Canal Commissioners.

On motion of Mr. Sedgwick,

Ordered, That said report be laid on the table, and the usual number of copies of said bill and report, be printed.

[*See Senate Document No. 144.*]

The Assembly returned the bill entitled "An act to incorporate the Unitarian Association of the State of New-York," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver the said bill to the Governor.

A message was received from the Governor, informing that he had this day approved and signed the bill entitled "An act to amend an act entitled 'An act in relation to the construction of the New-York and Erie Railroad,' passed May 14, 1845, and for other purposes;" also "An act to incorporate the Unitarian Association of the State of New-York."

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate of the 9th instant to the resolution of the Assembly of the 6th instant, relative to the binding of the Senate and Assembly journals and documents, and had amended said resolution accordingly.

Said amended resolution having been examined,

Ordered, That the Clerk return the same to the Assembly.

Mr. Beekman, from the committee on railroads to whom was referred the bill entitled "An act in relation to railroad corporations," to consider and report complete, reported the same complete, with the title altered so as to read as follows: "An act in relation to railroad companies," which report was agreed to by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to railroad corporations," which was ordered to a third reading.

Mr. Lester, from the same committee, reported as correctly engrossed the bill entitled "An act authorizing the Secretary of State to purchase two hundred and fifty copies of the Revised Statutes," which was ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act for the benefit of the East River Mutual Insurance Company in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to amend and explain the act entitled 'An act to condense and amend the several acts relating to the village of Williamsburgh,' passed April 23d, 1844, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to consist of the Senators attending the Senate from the First Senate district, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Fallsburgh and Liberty Turnpike Road Company,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to authorize the president, directors and company of the western branch of the Schoharie Turnpike Company, to remove their toll gate on said road in the town of Cobleskill," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee to consist of the Senators attending the Senate from the Third Senate District, to report complete.

Mr. Folsom, from the committee on Indian affairs, to whom was referred the petition of Henry Jordan, an Oneida Indian, for indemnity for expenses and services in behalf of the Indians, reported adverse to the prayer of the petitioners which was agreed to by the Senate.

Thereupon;

Resolved, That the prayer of the petitioner be denied.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act to incorporate the Port Ontario Bridge Company,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That a joint committee of three be appointed, to consist of one member of the Senate, and two members of the Assembly, to examine the accounts of the Treasurer, the Canal Department and of the Banking Department, and that they have leave to sit during the recess of the Legislature.

Thereupon,

Resolved, That the Senate do concur in the said resolution.

Ordered, That the Clerk deliver a copy of said resolution of concurrence to the Assembly.

On motion of Mr. Hard,

Ordered, That the committee on railroads be discharged from the further consideration of the petition of inhabitants of Ontario county, in reference to the transportation of freight upon railroads, also the resolutions of a meeting at Cazenovia, on the subject of transporting the mails on railroads, and that said petition and resolutions be laid on the table.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act authorizing the Sixth Principle Baptist Society of the town of Brookfield, to sell their meeting house and lot," reported against the passage thereof, which was committed to a committee of the whole.

Mr. Porter, from the committee on finance, to whom was referred the

bill from the Assembly entitled "An act to provide for the levying a tax in the town of Parishville, to build a town house," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Porter, from the same committee, to whom was referred the bill from the Assembly, entitled "An act to provide for levying a tax on the town of Pierrepont, to build a town house," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to provide for the construction of a railroad from Buffalo to the New-York and Erie railroad in the county of Cattaraugus," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Burnham, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to incorporate the Boonville and Western Turnpike Company," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Talcott, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to amend 'An act to incorporate the Kings County Mutual Insurance Company,' passed April 15, 1844," reported in favor of the passage thereof, with an amendment, which was agreed to by the Senate, and the amendment ordered engrossed, and the bill to a third reading.

On motion of Mr. Hard,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to provide for the construction of a railroad from Albany to Cohoes and Waterford," and that the same be referred to the committee on railroads, to consider and report complete.

Mr. Folsom, from the select committee, consisting of the Senators attending the Senate from the First Senate district, to whom was referred the bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New-York, to raise money by loan and to create a public fund or stock to be called 'Building loan No. 2,'" reported in favor of the passage of the same, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to authorize the Reformed Sanctity Church in Germantown, Columbia county, to sell a part of their real estate," reported against the passage of the said bill, which was committed to a committee of the whole.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the Schenectady Cemetery Association," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Clark, from the committee on charitable and to whom was referred the bill from the Assembly incorporate the Lyons Cemetery Association," report passage thereof, without amendment, which was nate, and the bill ordered to a third reading.

On motion of Mr. Folsom,

Ordered, That the committee on Indian affairs referred the communication from H. R. Schoolcraft to take a census of the Indians of this State, be dismissed and be referred to the committee on finance.

Mr. Hard, from the committee on railroads, to a bill entitled "An act to amend an act entitled 'the Utica and Schenectady Railroad Company,' passed and reported against the passage thereof, which was committee of the whole.

Ordered, That the usual number of copies of a

Mr. Hand, from the committee on State prisons, report the bill from the Assembly entitled "An act in Prisons at Auburn and Mount-Pleasant," reported passage thereof, with amendments.

Mr. President put the question on committing said of the whole, and it was decided in the negative.

The ayes and nays having been moved and so low :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr.
Mr. Beers	Mr. Jones	Mr.
Mr. Denniston	Mr. Lott	Mr.
Mr. Deyo	Mr. Mitchell	Mr.
Mr. Folsom		

FOR THE NEGATIVE.

Mr. Backus	Mr. Johnson	Mr.
Mr. Burnham	Mr. Porter	Mr.
Mr. Clark	Mr. Putnam	Mr.
Mr. Emmons	Mr. Scovil	Mr.
Mr. Hard		

Mr. Jones moved to refer said bill and amendments committee to report complete.

Mr. President put the question on agreeing to it was decided in the negative.

Mr. Clark then moved that said amendments be bill ordered to a third reading.

Debates being had, but without taking the question,

By unanimous consent,

On motion of Mr. Putnam,

Ordered, That the bill entitled "An act extending the powers of a justice of the peace as to issuing executions after the term of his office has expired," be engrossed for a third reading.

On motion of Mr. Beekman,

Resolved, That the Senate will hold an Executive session to-morrow morning, at half past 9 o'clock.

On motion of Mr. Talcott,

Resolved, That the Senate will take a recess till half past 7 o'clock, and that then the Senate proceed to third reading of bills.

Thereupon,

The Senate took a recess till half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The Senate met.

Mr. Lester, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act extending the powers of a justice of the peace, as to issuing executions after the term of his office has expired," which was ordered to a third reading.

The engrossed bill entitled "An act to revive and continue in force the charter of the Butchers' Benevolent Society in the city of New-York," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Barlow	Mr. Folsom	Mr. Scovil
Mr. Beekman	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Mitchell	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	

26

The engrossed bill entitled "An act concerning the New-York Bible and Common Prayer Book Society," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Scovil
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Jones	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Sanford	

26

Two several engrossed bills with the following titles, to wit: "An act in relation to the temporary relief of the poor;" also "An act for the relief of Claudius O. Beckett, an alien," were severally read the third time and passed.

Ordered, That the Clerk deliver the last four mentioned bills to the Assembly, and request their concurrence in the same respectively.

The engrossed bill entitled "An act in relation to actions against railroad corporations," was read the third time.

Mr. Chamberlain moved to lay the question of the final passage thereof on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sanford
Mr. Burnham	Mr. Lott	Mr. Scovil
Mr. Chamberlain	Mr. Mitchell	Mr. Spencer
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom		

13.

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. S. Smith
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Hard	Mr. Sedgwick	Mr. Young

15

Mr. Putnam proceeding to debate, was called to order by Mr. Lester, as follows:

The Senator from the eighth is called to order for stating that the petitions on this subject have been filed from the Senate.

Mr. President decided that Mr. Putnam was not in order.

Mr. Chamberlain moved that the Senator be allowed to proceed in order.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

Thereupon,

Ordered, That said bill be laid on the table, and that the question on the final passage thereof be taken immediately after the consideration of executive business to morrow morning.

The bill from the Assembly entitled "An act to regulate the expenditures of the highway tax in parts of Essex, Hamilton and Warren counties;" with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The engrossed bill entitled "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain to Boonville" was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Scovil
Mr. Barlow	Mr. Folsom	Mr. Sedgwick
Mr. Beekman	Mr. Hand	Mr. J. B. Smith
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Lott	Mr. Spencer
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Wheeler
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Deyo	Mr. Sanford	

26

The engrossed bill entitled "An act to incorporate the Schenectady and Catskill Railroad Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Barlow	Mr. Folsom	Mr. Sanford
Mr. Beekman	Mr. Hand	Mr. Scovil
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Williams

27

The engrossed bill entitled "An act for the relief of Betsey Ludovick, an Indian woman," was read the third time and passed.

The engrossed bill entitled "An act in relation to the loans of the year one thousand seven hundred and ninety-two," was read the third time and passed.

The engrossed bill entitled "An act relative to trials in courts of common law jurisdiction," was read the third time and passed.

The engrossed bill entitled "An act to amend an act passed April 25th, 1832, entitled 'An act regulating suits on bills of exchange and promissory notes,'" was read the third time and passed.

The engrossed bill entitled "An act to provide for the payment of services rendered as district attorney in certain cases under an appointment by the court," was read the third time and passed.

Ordered, That the Clerk deliver the last seven mentioned bills to the Assembly, and request their concurrence in the same respectively.

The engrossed bill entitled "An act in relation to railroad corporations," was read the third time.

Thereupon,

On motion of Mr. Wheeler,

Ordered, That said bill be laid on the table, and that the question on the final passage thereof, be taken immediately after the executive session to morrow morning.

Mr. Beers, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act in relation to railroad companies," which was ordered to a third reading.

Said bill was then read the third time, and the question on the final passage thereof, postponed to the same time last above mentioned.

The engrossed bill entitled "An act extending the powers of a justice of the peace, as to issuing executions after the term of his office has expired," was read the third time and passed.

Ordered, That the Clerk deliver the last mentioned bill to the Assembly, and request their concurrence in the same.

The engrossed bill entitled "An act authorizing the Secretary of State to purchase two hundred and fifty copies of the Revised Statutes," was read the third time.

Mr. Lott then moved to postpone the question on the final passage of said bill, to the 1st Tuesday of June next.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham

Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Einmons

Mr. Hand
Mr. Johnson
Mr. Lott
Mr. Putnam
Mr. Scovil

Mr. J. B. Smith
Mr. S. Smith

Mr. Talcott
Mr. Wheeler

Mr. Williams
Mr. Young 21

FOR THE NEGATIVE.

Mr. Folsom
Mr. Jones

Mr. Lester
Mr. Porter

Mr. Sanford
Mr. Spencer 6

The bill from the Assembly entitled "An act concerning the Lodi Union School District, and district number one in the village of Owego," was read the third time and passed.

The bill from the Assembly entitled "An act to amend 'An act to incorporate the Buffalo and Niagara Falls Railroad Company,' passed 1834," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beers
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Emmons
Mr. Folsom
Mr. Hand

Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sanford

Mr. Scovil
Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams

25

The bill from the Assembly entitled "An act to incorporate the New-York and Connecticut Railroad Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sanford

Mr. Scovil
Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams

26

The bill from the Assembly entitled "An act to incorporate the Buffalo and Lancaster Railroad Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow

Mr. Beekman
Mr. Beers

Mr. Chamberlain
Mr. Clark

Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Jones

Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sanford
Mr. Sedgwick

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams

25

Three several bills were received from the Assembly entitled "An act to amend an act entitled 'An act for the improvement of the State road from Rome to Sacket's Harbor,' passed April 12, 1832;" also "An act for the relief of the Lafayette Horse Guards of the city of New-York;" also "An act to repeal the act incorporating the village of Westfield, in the county of Chautauque," which were severally read the third time and passed.

The bill from the Assembly entitled "An act to amend an act entitled 'An act relative to the city of Brooklyn,' passed April 28, 1845," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Johnson
Mr. Lott
Mr. Mitchell
Mr. Porter
Mr. Putnam
Mr. Sanford

Mr. Scovill
Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Wheeler
Mr. Williams
Mr. Young

27

The bill from the Assembly entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice in the village of Saratoga Springs,' passed May 14, 1845," was read the third time and passed.

The bill from the Assembly entitled "An act to amend the act incorporating the village of Saratoga Springs, passed April 17, 1826," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain

Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Folsom

Mr. Hand
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Mitchell

Mr. Porter	Mr. Sedgwick	Mr. Talcott	
Mr. Putnam	Mr. J. B. Smith	Mr. Wheeler	
Mr. Sanford	Mr. S. Smith	Mr. Williams	
Mr. Scovil	Mr. Spencer	Mr. Young	27

The bill from the Assembly entitled "An act for the relief of Mordecai Ogden and John Durfee," was read the third time and passed.

Ordered, That the Clerk return the last eleven mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled "An act to incorporate the Chenango Junction Canal Company," with the engrossed amendments, was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford	
Mr. Barlow	Mr. Hand	Mr. Scovil	
Mr. Beekman	Mr. Johnson	Mr. J. B. Smith	
Mr. Beers	Mr. Jones	Mr. S. Smith	
Mr. Burnham	Mr. Lott	Mr. Spencer	
Mr. Chamberlain	Mr. Mitchell	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Wheeler	
Mr. Deyo	Mr. Putnam	Mr. Williams	
Mr. Emmons			25

The bill from the Assembly entitled "An act for the relief of James C. Ott," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act for the relief of Isaac Jackson," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same, with the amendments therewith respectively delivered.

The bill from the Assembly entitled "An act further to provide for the protection of the public works," was read the third time.

Debates being had, but without taking the question on the final passage of said bill.

Mr. Young moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Barlow	Mr. Beers
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Mr. Denniston
Mr. Johnson
Mr. Lester

Mr. Porter
Mr. Putnam
Mr. Sanford

Mr. S. Smith
Mr. Young

11

FOR THE NEGATIVE.

Mr. Beekman
Mr. Chamberlain
Mr. Clark
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Lott
Mr. Mitchell

Mr. Scovil
Mr. Spencer
Mr. Talcott
Mr. Wheeler

14

Further debates being, had but without taking the question on said bill.

Mr. Young moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Denniston
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Putnam

Mr. S. Smith
Mr. Young

8

FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman
Mr. Chamberlain
Mr. Clark
Mr. Deyo

Mr. Emmons
Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Lott

Mr. Mitchell
Mr. Sanford
Mr. Scovil
Mr. Spencer
Mr. Wheeler

15

Further debates being had, but without taking the question thereon.

Mr. Spencer asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to provide for the translation of certain public documents," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Mr. Beers moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Beers

Mr. Denniston

Mr. Johnson

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Mr. Lester
Mr. Porter

Mr. Putnam
Mr. S. Smith

Mr. Young

8

FOR THE NEGATIVE.

Mr. Barlow
Mr. Beekman
Mr. Chamberlain
Mr. Clark
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Lott

Mr. Sanford
Mr. Scovil
Mr. Spencer
Mr. Wheeler

13

Further debates being had upon the said bill entitled "An act further to provide for the protection of the public works," but without taking the question on the final passage thereof.

Mr. Hard moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion and it was decided in the negative, a majority not voting thereon.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Hand

Mr. Hard
Mr. Lester
Mr. Porter

Mr. Putnam
Mr. S. Smith
Mr. Talcott

10

FOR THE NEGATIVE.

Mr. Chamberlain
M. Clark
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Lott
Mr. Scovil

Mr. Sanford
Mr. Spencer
Mr. Wheeler

10

After further debates thereon,

Mr. Talcott moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Denniston

Mr. Deyo
Mr. Hand
Mr. Hard
Mr. Lester

Mr. Putnam
Mr. S. Smith
Mr. Talcott

11

FOR THE NEGATIVE.

Mr. Chamberlain

Mr. Clark

Mr. Emmons

Mr. Folsom.
Mr. Lott

Mr. Scovil
Mr. Spencer

Mr. Whipple

8

Then the Senate adjourned to 9 o'clock to-morrow morning.

TUESDAY, 9 O'CLOCK, A. M., MAY 12, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Kip.

The minutes of yesterday having been read and approved,

Mr. Lott, from the committee on the judiciary, to whom was referred the bill from the Assembly entitled "An act to confirm certain official acts of the commissioners for loaning certain moneys of the United States of the county of Kings," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Lott,

Said bill was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the German Hebrew Benevolent Society in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled "An act for the relief of Stephen V. R. Ableman," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the widow and heirs at law of David Henderson, deceased," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A bill was received from the Assembly for concurrence, entitled "An act to subject to taxation certain debts owing to non-residents of the United States," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Lott, from the committee on the judiciary, to whom were referred sundry petitions for the relief of convicts imprisoned on account of offences growing out of the relation of landlord and tenant in this

State, made a written report thereon, adverse to the prayer of the petitioners, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 142.]

Mr. Deyo, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to incorporate the Fallsburgh and Liberty Turnpike Road Company,'" reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Deyo,

Said bill was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Johnson	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Talcott
Mr. Denniston	Mr. Mitchell	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Young
Mr. Emmons		

25

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Clark, from the committee on the militia, to whom was referred the bill from the Assembly entitled "An act to provide for the enrolment of the militia, and to encourage the formation of uniform companies," reported in favor of the passage thereof, with amendments, which was agreed to by the Senate, and the amendments ordered engrossed and the bill to a third reading.

On motion of Mr. Clark,

Ordered, That said committee be discharged from the further consideration of sundry petitions, &c., referred to them, relating to the same subject, and that the same be laid on the table with said bill.

Mr. Clark, from the committee on manufactures, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act relative to incorporations for manufacturing purposes,' passed March 22, 1811," reported in favor of the passage thereof, without amendments, which was committed to a committee of the whole.

Mr. Hard, from the committee on railroads, to whom was referred the bill from the Assembly entitled "An act to provide for the construction

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of a railroad from Albany, to C
report complete, reported the
agreed to by the Senate, and the

Mr. Johnson, from the comm
two several bills from the Asse
George W. Hildreth, and others
V. R. Ableman," reported in
without amendment, which was
severally ordered to a third read

Mr. Johnson, from the comm
the bill from the Assembly en
of Thomas Mott," moved that
further consideration of said bill

Mr. President put the question
decided in the negative.

The ayes and nays having b
low :

FOR THE

Mr. Backus
Mr. Barlow
Mr. Beers

Mr. Ha
Mr. Joh
Mr. Lesl

FOR

Mr. Beekman
Mr. Chamberlain
Mr. Clark
Mr. Denniston

Mr. Dey
Mr. Em
Mr. Lou
Mr. Put

Mr. Folsom, from the select
bill from the Assembly entitled
entitled 'An act to condense and
village of Williamsburgh, passe
poses," to consider and report
amendment, which was agree
to a third reading.

On motion of Mr. Denniston

Resolved, That the Senate
mittee of conference upon the s
houses on the bill from the Asse
Canal Board to assume in beh
basin," and that Mr. Denniston
said committee on the part of the

Ordered, That the Clerk re
a copy of said resolution.

The hour of half past nine
order proceeded to the considera

And afterwards, the doors being opened,

A bill was received from the Assembly entitled "An act for the benefit of the North American Fire Insurance Company," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

A bill was received from the Assembly entitled "An act to authorize the construction of a railroad from New-York to Albany," with a message, informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

The said amended bills having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled "An act further to amend the 'Act to abolish imprisonment for debt and to punish fraudulent debtors,' passed April 26th, 1831," with a message, informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Eleven several bills were received from the Assembly with the following titles, to wit: "An act for the relief of Isaac Jackson;" also "An act to reduce the capital stock of the Firemen's Insurance Company in the city of New-York, and for other purposes;" also "An act to change the corporate name of the Mutual Insurance Company of the city of New-York, and to reduce its capital;" also "An act for the benefit of the Eagle Fire Company, of New-York in the city of New-York;" also "An act for the benefit of the Howard Insurance Company of New-York;" also "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York;" also "An act for the benefit of the Merchants' Fire Insurance Company;" also "An act further to amend an act entitled 'An act to incorporate the New-York Fire Insurance Company of the city of New-York,' passed April 18, 1832;" also "An act for the benefit of the Jefferson Insurance Company in the city of New-York;" also "An act for the benefit of the Manhattan Fire Insurance Company in the city of New-York;" also "An act for the relief of James C. Ott," with a message informing that they had concurred in the amendments of the Senate to said bills, and had amended the same accordingly.

The said several amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

A bill was received from the Assembly entitled "An act to regulate the expenditure of the highway tax in parts of Essex, Hamilton and Warren counties," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bills having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled "An act for the relief of Peter J. Wagner," with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver the said bill to the Governor.

A message was received from the Governor, informing that he had

this day approved and signed the bill entitled "An act further to amend the 'Act to abolish imprisonment for debt and to punish fraudulent debtors,' passed April 26, 1831."

Mr. Denniston moved that the present and all intervening orders of business be laid on the table, and that the Senate resolve itself into a committee of the whole on the bill from the Assembly entitled "An act to provide for the reconstruction of the locks on the Crooked Lake and Chemung Canal, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Deyo	Mr. S. Smith
Mr. Chamberlain	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams 9

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright
Mr. Folsom		16

Mr. Denniston then moved to suspend the rules, for the purpose of asking leave to introduce a bill.

Mr. President put the question on agreeing to said motion.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Spencer
Mr. Barlow	Mr. Johnson	Mr. Talcott
Mr. Beekman	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo	Mr. S. Smith	14

FOR THE NEGATIVE.

Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. Scovil	14

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

Mr. Denniston then asked for and obtained leave to bring in a bill entitled "An act to provide for the reconstruction of the locks on the Crooked Lake canal," which was read the first time, and by unanimous consent was also read a second time.

Mr. Denniston moved that said bill be engrossed for a third reading.

Mr. Chamberlain moved to amend said bill, by striking out all after the enacting clause, and inserting the following, in lieu thereof, to wit :

§ 1. The Canal Commissioners are authorized to reconstruct such locks on the Crooked Lake canal as they shall judge necessary to insure the safe navigation of said canal, at an expense not exceeding fifty thousand dollars. Also to reconstruct at an expense not exceeding five thousand dollars, the wooden lock on the Chemung canal in the village of Elmira.

§ 2. The Canal Commissioners are authorized and required to cause the stone and materials prepared for the second tier of locks at the village of Lockport, which encumber the grounds most wanted for immediate use in the said village and lay the said stone and material in a proper manner into the said second tier of locks, but no expense exceeding ten thousand dollars shall be made the present year.

§ 3. The Canal Commissioners are authorized and required, before the opening of the navigation in eighteen hundred and forty-seven, to reduce the bottom level of the Erie canal east of Rochester, from the east end of the aqueduct, across the Genesee river to the first lock east of said aqueduct ; and to lower the mitre sill of said lock so that the said bottom level and mitre sill shall correspond with the bottom level of said aqueduct.

§ 4. The sum of five hundred dollars is hereby appropriated to the preservation of the works on the Oneida river improvement, to be paid from any moneys to be raised for the purpose of preserving the works of the unfinished canals.

§ 5. The Canal Commissioners are authorized, whenever from improvements in the navigation in said river they shall deem it just, to collect tolls from floats navigating said improvements; and any tolls so collected may be expended in the further improvement of the navigation of said river.

§ 6. The Commissioners of the Canal Fund shall pay, out of any moneys applicable to the repairs of the finished canals, the expense which may be incurred under the first and third sections of this act, and the moneys appropriated by the second section of this act to the Erie canal enlargement and to the Oneida river improvement, the appropriation in the fourth section.

§ 7. This act shall take effect immediately.

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The ayes and nays having been moved :
low :

FOR THE AFFIRMAT

Mr. Backus	Mr. Folsom
Mr. Burnham	Mr. Hard
Mr. Chamberlain	Mr. Putnam
Mr. Clark	Mr. Scovil
Mr. Emmons	Mr. Sedgwick

FOR THE NEGATIVE

Mr. Barlow	Mr. Johnson
Mr. Beekman	Mr. Lester
Mr. Beers	Mr. Porter
Mr. Denniston	Mr. Sanford
Mr. Deyo	

Mr. Johnson moved to reconsider the vote
Mr. President put the question on agree
was decided in the negative.

The ayes and nays having been moved a
low :

FOR THE AFFIRMATI

Mr. Barlow	Mr. Deyo
Mr. Beekman	Mr. Hand
Mr. Beers	Mr. Johnson
Mr. Denniston	Mr. Lester

FOR THE NEGATIVE

Mr. Backus	Mr. Folsom
Mr. Burnham	Mr. Hard
Mr. Chamberlain	Mr. Putnam
Mr. Clark	Mr. Scovil
Mr. Emmons	Mr. Sedgwick

Then without taking the question on ord
reading, the Senate took a recess till half pa

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Qqqq

HALF PAST THREE O'CLOCK, P. M.

The Senate met.

On motion of Mr. Chamberlain,

The Senate proceeded to the further consideration of the question on the final passage of the engrossed bill entitled "An act in relation to actions against railroad corporations."

Mr President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lester	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sanford	Mr. Wright
Mr. Emmons	Mr. Sedgwick	Mr. Young
Mr. Hard		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Scovil
Mr. Chamberlain	Mr. Putnam	Mr. Spencer
Mr. Folsom		

7

Thereupon,

Resolved, That said bill do pass.

On motion of Mr. Lester,

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be suspended, to enable this house to send to the Assembly for concurrence the following bills entitled "An act in relation to actions against railroad corporations."

Afterwards,

A message was received from the Assembly, informing that they had concurred in said resolution.

Thereupon,

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence in the same.

Mr. President put the question on the final passage of the engrossed bill entitled "An act in relation to railroad corporations," which was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beckman	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sanford	Mr. Williams
Mr. Emmons	Mr. Scovil	

26

FOR THE NEGATIVE.

Mr. Lester

1

On motion of Mr. Putnam,

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be suspended, to enable this House to send to the Assembly for concurrence the following bill entitled "An act in relation to railroad corporations."

Afterwards,

A message was received from the Assembly, informing that they had concurred in said resolution.

Thereupon,

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

Mr. Porter asked for and by unanimous consent obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act for the relief of certain purchasers of land in the second Oneida purchase of 1829,' passed May 9, 1846," which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed for a third reading.

The Senate then proceeded to the further consideration of the question on the final passage of the engrossed bill entitled "An act in relation to railroad companies."

After debates thereon,

Mr. Hand moved to lay the same on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Porter
Mr. Deyo	Mr. Lott	Mr. Williams

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FOR THE NEGATIVE.

Mr. Backus	Mr. Beckman	Mr. Beers
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Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. S. Smith
Mr. Clark	Mr. Lester	Mr. Spencer
Mr. Denniston	Mr. Sanford	Mr. Talcott
Mr. Emmons	Mr. Scovil	Mr. Van Schoonhoven
Mr. Folsom	Mr. Sedgwick	Mr. Wheeler

21

Mr. President then put the question on the final passage of said bill, and it was lost : two-thirds of all the members elected to the Senate not voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Beckman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lester	Mr. Van Schoonhoven
Mr. Denniston	Mr. Sanford	Mr. Wheeler
Mr. Emmons	Mr. Sedgwick	Mr. Williams
Mr. Folsom		

19

FOR THE NEGATIVE.

Mr. Barlow	Mr. Lott	Mr. Scovil
Mr. Deyo	Mr. Porter	Mr. S. Smith
Mr. Hand	Mr. Putnam	Mr. Young

9

The Assembly returned the bill entitled "An act respecting the town records of the town of Goshen, destroyed by fire," with a message informing that they had passed the same with the amendments therewith delivered.

The said amended bill having been read,

On motion of Mr. Denniston,

Resolved, That the Senate do concur therein.

The Assembly returned the bill entitled "An act for the relief of George J. E. Lasher," with a message informing that they had passed the same with the amendments therewith delivered.

Said amendments having been read.

Resolved, That the Senate do concur therein.

The Assembly returned the bill entitled "An act for the relief of Patrick Cooney," with a message, informing that they had passed the same with the amendments therewith delivered.

Said amendments having been read.

Resolved, That the Senate do concur therein.

The Assembly returned the bill entitled "An act to perpetuate evidence of the deaths of Nicolaas Van Staphorst, and others," with a message informing that they had passed the same with the amendments therewith delivered.

Said amendments having been read.

Resolved, That the Senate do concur therein.

Ordered, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have concurred in their amendments, and amended said bill accordingly.

Mr. Sanford, from the select committee, consisting of the Senators attending the Senate from the First Senate district, to whom was referred the bill entitled "An act concerning quarantine and regulations in the nature of quarantine at the port of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the said bill ordered to a third reading.

Mr. Talcott, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act for the benefit of the East River Mutual Insurance Company in the city of New-York," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Talcott,

Said bill was then read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. S. Smith
Mr. Barlow	Mr. Jones	Mr. Spencer
Mr. Beekman	Mr. Lott	Mr. Talcott
Mr. Burnham	Mr. Porter	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Denniston	Mr. Sanford	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Emmons	Mr. J. B. Smith	

23

FOR THE NEGATIVE.

Mr. Clark

1

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same, without amendment.

Mr. Van Schoonhoven moved that the rules be suspended, and that the bill from the Assembly entitled "An act to abolish distress for rent, and for other purposes," with the engrossed amendments, be now read the third time.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Beekman	Mr. Beers
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Mr. Burnham	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Van Schoonhoven
Mr. Folsom	Mr. Putnam	Mr. Williams
Mr. Hand	Mr. Sedgwick	Mr. Wright
Mr. Johnson		

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FOR THE NEGATIVE.

Mr. Backus	Mr. Emmons	Mr. Sanford
Mr. Chamberlain	Mr. Hand	Mr. S. Smith
Mr. Clark	Mr. Jones	Mr. Spencer

9

Said bill with the engrossed amendments was then read the third time.

Mr. President put the question on the final passage thereof and the same was passed.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Emmons	Mr. Sedgwick
Mr. Beekman	Mr. Folsom	Mr. J. B. Smith
Mr. Beers	Mr. Hand	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Talcott
Mr. Chamberlain	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Denniston	Mr. Sanford	Mr. Wright
Mr. Deyo	Mr. Scovil	

23

FOR THE NEGATIVE.

Mr. Backus	Mr. Spencer	Mr. Wheeler
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3

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Assembly returned the bill entitled "An act to incorporate the Chenango Junction Canal Company," with a message informing that they had concurred in the amendments of the Senate to the said bill and had amended the same accordingly.

A bill was received from the Assembly entitled "An act for the benefit of the United States Fire Insurance Company in the city of New-York," with a message informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

The last two amended bills having been examined.

Ordered, That the Clerk return the same to the Assembly.

On motion of Mr. Van Schoonh
The Senate proceeded to the further
plete) of the select committee on the b
act to equalize taxation."

After debates thereon,

Mr. Clark moved that said report b

Mr. President put the question on
was decided in the affirmative.

FOR THE AFF

Mr. Backus	Mr. Folsom
Mr. Burnham	Mr. Hand
Mr. Chamberlain	Mr. Jones
Mr. Clark	Mr. Lott
Mr. Emmons	Mr. Putnam

FOR THE NE

Mr. Barlow	Mr. Deyo
Mr. Beekman	Mr. Johnson
Mr. Beers	Mr. Lester
Mr. Denniston	Mr. Porter

On motion of Mr. Chamberlain,
Ordered, That the question be taken
entitled "An act further to provide f
works," without debate.

The said bill was then read the thir

Mr. President put the question on t
it was passed.

The ayes and nays having been n
low :

FOR THE AFFI

Mr. Backus	Mr. Emmons
Mr. Barlow	Mr. Folsom
Mr. Beers	Mr. Lott
Mr. Burnham	Mr. Putnam
Mr. Chamberlain	Mr. Sanford
Mr. Clark	

FOR THE NE

Mr. Beekman	Mr. Johnson
Mr. Denniston	Mr. Jones
Mr. Deyo	Mr. Lester
Mr. Hand	Mr. Porter

Ordered, That the Clerk return said bill to the Assembly, and inform them the Senate have passed the same without amendment.

Mr. Putnam moved to suspend the rules, and that the bill from the Assembly entitled "An act to regulate the price for transporting freight on the Tonawanda Railroad," be now read the third time.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE

Mr. Beekman	Mr. Folsom	Mr. Putnam	
Mr. Burnham	Mr. Hard	Mr. Scovil	
Mr. Clark	Mr. Johnson	Mr. J. B. Smith	
Mr. Emmons	Mr. Lester	Mr. Wright	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Barlow	Mr. Jones	Mr. Spencer	
Mr. Chamberlain	Mr. Lott	Mr. Talcott	
Mr. Denniston	Mr. Porter	Mr. Wheeler	
Mr. Deyo	Mr. Sanford	Mr. Young	15

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act to amend an act entitled 'An act for the relief of certain purchasers of lands on the Second Oneida purchase of 1829, passed May 9, 1846,' which was ordered to a third reading.

On motion of Mr. Hand,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act, making an appropriation for the relief of Mount-Pleasant State Prison, and for other purposes," and that said bill be engrossed for a third reading.

Mr. Hand moved that the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act in relation to the Clinton State Prison, and that the same be ordered to a third reading.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Hand
Mr. Barlow	Mr. Clark	Mr. Lott
Mr. Beekman	Mr. Emmons	Mr. Sanford
Mr. Burnham	Mr. Folsom	Mr. Sedgwick

Mr. S. Smith
Mr. Spencer

Mr. Van Schoonhoven
Mr. Wheeler

FOR THE NEGATIVE

Mr. Denniston
Mr. Deyo
Mr. Hard
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Putnam

On motion of Mr. Jones,

The Senate proceeded to the third reading

Three several bills from the Assembly, with wit: "An act to authorize the town of Butter build bridges:" also "An act for the relief "An act to annex a part of the town of Somer Chester, to the town of Newcastle, in said cou the third time and passed.

The bill from the Assembly entitled "An German Young Men's Association of the city third time and passed: two-thirds of all the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE

Mr. Barlow
Mr. Backus
Mr. Beckman
Mr. Beers
Mr. Barnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Porter
Mr. Putham
Mr. Sanford

Ordered, That the Clerk return the last fo Assembly, and inform them that the Senate severally without amendment.

Mr. Hand, from the select committee of eig red the bill entitled "An act for the appointment sioner," to consider and report complete, reported ments, which was agreed to by the Senate, and sed for a third reading.

Mr. Young, from the committee on literature the bill entitled "An act to provide for the trans documents," reported against the passage thereo

Mr. Spencer moved that the Senate disagree their report, and that said bill be engrossed for

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Rrrr

Thereupon,

On motion of Mr. Lester,

Ordered, That the whole subject be laid on the table.

Mr. Lott, from the select committee, consisting of the Senators attending the Senate from the First Senate District, to whom was referred the bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and for other purposes," reported in favor of the passage of the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

On motion of Mr. Lester,

The committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act relative to the village of Medina," was discharged from the further consideration thereof, and the same was referred to the Senators attending the Senate from the Eighth Senate district, to consider and report complete.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to incorporate the German Hebrew Benevolent Society in the city of New-York," reported in favor of the passage of the same, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Deyo, from the committee on roads and bridges, to whom was referred the bill from the Assembly entitled "An act to provide for building a bridge across the Rondout creek, above the High falls in the town of Marbletown, Ulster county," reported the same with amendments, which was agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Mr. Lester from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to incorporate the village of New-London," reported the same for the consideration of the Senate without amendment.

Thereupon,

On motion said bill was ordered to a third reading.

Mr. Lester, from the same committee, to whom was referred the bill from the Assembly entitled "An act to amend the acts relative to the village of Liverpool," reported the same for the consideration of the Senate.

Thereupon,

On motion of Mr. Sedgwick,

The said bill was ordered to a third reading.

The bill from the Assembly entitled "An act to authorize the superintendent of common schools to purchase the transactions of the New-York State Agricultural Society for the school district libraries," was read the third time.

Mr. President put the question on the final passage of the said bill, it was decided in the negative.

The ayes and nays having been moved and seconded, were equally divided, as follow :

the Mariners' Fund, be discharged from the further consideration thereof.

On motion of Mr. Johnson,

Ordered, That the committee on claims be discharged from the further consideration of the memorial of Barber Kenyon, and that the same be laid on the table.

On motion of Mr. Denniston,

Ordered, That the committee on canals be discharged from the further consideration of sundry memorials of citizens of Rochester, interested in the use of the waters of the Genesee river for manufacturing purposes, and that the same be laid on the table.

On motion of Mr. Van Schoonhoven,

Ordered, That the question on agreeing with the select committee in their report (complete) on the bill from the Assembly entitled "An act to equalize taxation," and on the amendments offered or to be offered thereto, be taken at half past 7 o'clock this evening, without debate.

On motion of Mr. Beers,

The committee on the incorporation of cities and villages was discharged from the further consideration of the bill from the Assembly entitled "An act to consolidate and amend the act entitled 'An act to incorporate the city of Brooklyn, passed April 8, 1834,' and the various acts amendatory thereof."

Thereupon,

On motion of Mr. Lott,

Said bill was ordered to a third reading.

Mr. Van Schoonhoven moved that the Senate do now proceed to the consideration of the report of the select committee on the bill entitled "An act in relation to the city of Troy."

On motion of Mr. Lester,

Ordered, That the said motion be laid on the table.

On motion of Mr. Folsom,

Resolved, That at the evening session each Senator shall be entitled to call for the reading of a bill which shall not lead to a debate, which bill shall accordingly be read, the Senators to be called in alphabetical order.

Then the Senate took a recess till seven o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Senate met.

By unanimous consent,

On motion of Mr. Johnson,

Ordered, That the committee on claims be discharged from the further consideration of the petitions of David P. Sinalley and George Gardner, respectively, for relief, and that the same be laid on the table.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule be suspended to allow the transmission to the Senate for concurrence of the bill entitled "An act to amend the act entitled 'An act to abolish the office of bank commissioner, and for other purposes,' passed April 18, 1843."

On motion of Mr. Porter,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver a copy of said resolution of concurrence to the Assembly.

Said bill was then received from the Assembly, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Two several bills from the Assembly entitled "An act to authorize Harrison Stephens, to take, hold and convey real estate;" also "An act to erect the town of Ava, from the west part of the town of Boonville, in the county of Oneida," were severally read the third time and passed.

The bill from the Assembly entitled "An act to incorporate the Henrietta Plank Road Company," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Sedgwick
Mr. Barlow	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Jones	Mr. Talcott
Mr. Burnham	Mr. Lott	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Porter	Mr. Wheeler
Mr. Clark	Mr. Putnam	Mr. Williams
Mr. Denniston	Mr. Sanford	Mr. Young
Mr. Deyo		

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Ordered, That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same severally, without amendment.

The bill from the Assembly entitled "An act to provide for the enrolment of the militia, and to encourage the formation of uniform companies," with the engrossed amendments, was read the third time.

Mr. President put the question on the final passage of said bill, and the same was passed.

The ayes and nays having been moved and seconded, were as follow:

Mr. I	Mr. B.	Mr. Burnham
Mr. B.	Mr. B.	Mr. Chamberlain

Mr. Clark
Mr. Emmons
Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Johnson
Mr. Jones

Mr. Lott
Mr. Putnam
Mr. Sanford
Mr. Scovil
Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith

Mr. Spenser
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams
Mr. Wright

26

FOR THE NEGATIVE.

Mr. Young

1

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The engrossed bill entitled "An act to amend an act entitled 'An act for the relief of certain purchasers of lands in the Second Oneida purchase of 1829, passed May 9, 1846,'" was read the third time and passed.

Thereupon,

On motion of Mr. Barlow,

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be suspended, for the purpose of allowing this House to send for concurrence the said bill.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence in the same.

Afterwards,

A message was received from the Assembly, informing that they had concurred in said resolution.

Thereupon,

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The Senate proceeded to the consideration of the question on agreeing with the report of the select committee on the bill from the Assembly entitled "An act to equalize taxation."

Thereupon,

The first section of the said bill was read in the words following, to wit:

§ 1. It shall be the duty of the assessors in each town and ward, while engaged in ascertaining the taxable property therein, by diligent inquiry, to ascertain the amount of rents reserved in any leases in fee, or for one or more lives, or for a term of years exceeding twenty-one years, and chargeable upon lands within such town or ward, which rents shall be assessed to the person or persons entitled to receive the same, as personal estate, which it is hereby declared to be, for the purpose of taxation under this act, at a principal sum, the interest of which at the legal rate per annum, shall produce a sum equal to such annual rents; and in case such rents are payable

in any other thing except money, the value of such annual rents in money shall be ascertained by the assessors, and the same shall be assessed in manner aforesaid.

Mr. Lott moved to amend by striking out the said first section, and inserting the following, to wit:

§ 1. The property or interest of any landlord or lessor in any grant in fee, or in perpetuity, reserving rents, shall be deemed personal property, and shall be taxable as such; and the value of such property or interest shall be determined by taking the cash value of such rents, and ascertaining therefrom a principal sum which at lawful interest, will give a sum of money equal to said rent or income.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith	
Mr. Clark	Mr. Lott	Mr. Spencer	
Mr. Folsom	Mr. Porter	Mr. Wheeler	
Mr. Hand	Mr. Putnam	Mr. Williams	
Mr. Hard	Mr. Sanford	Mr. Young	15

FOR THE NEGATIVE.

Mr. Barlow	Mr. Deyo	Mr. Sedgwick	
Mr. Beekman	Mr. Emmons	Mr. Talcott	
Mr. Beers	Mr. Johnson	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Lester	Mr. Wright	
Mr. Denniston	Mr. Scovil		14

Mr. Johnson moved that the vote last taken be reconsidered.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Emmons	Mr. Sedgwick	
Mr. Beekman	Mr. Hard	Mr. S. Smith	
Mr. Beers	Mr. Johnson	Mr. Talcott	
Mr. Burnham	Mr. Lester	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Putnam	Mr. Williams	
Mr. Denniston	Mr. Scovil	Mr. Wright	
Mr. Deyo			19

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith	
Mr. Clark	Mr. Lott	Mr. Spencer	
Mr. Folsom	Mr. Porter	Mr. Wheeler	
Mr. Hand	Mr. Sanford	Mr. Young	12

Mr. President again put the question on agreeing to Mr. Lott's said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Porter	Mr. Spencer	
Mr. Folsom	Mr. Sanford	Mr. Wheeler	
Mr. Jones	Mr. J. B. Smith	Mr. Young	
Mr. Lott			10

FOR THE NEGATIVE.

Mr. Barlow	Mr. Deyo	Mr. Scovil	
Mr. Beckman	Mr. Emmons	Mr. Sedgwick	
Mr. Beers	Mr. Hard	Mr. Talcott	
Mr. Burnham	Mr. Johnson	Mr. Van Schoonhoven	
Mr. Chamberlain	Mr. Lester	Mr. Williams	
Mr. Denniston	Mr. Putnam	Mr. Wright	18

Mr. President then put the question on agreeing with said committee in their report, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Deyo	Mr. Sedgwick	
Mr. Beckman	Mr. Emmons	Mr. Talcott	
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Johnson	Mr. Wheeler	
Mr. Chamberlain	Mr. Lester	Mr. Williams	
Mr. Denniston	Mr. Scovil	Mr. Wright	18

FOR THE NEGATIVE.

Mr. Backus	Mr. Porter	Mr. Spencer	
Mr. Folsom	Mr. Sanford	Mr. Young	
Mr. Lott	Mr. J. B. Smith		8

Thereupon,
Said bill was ordered to a third reading.

Mr. Van Schoonhoven moved that said bill be laid on the table.

Mr. J. B. Smith moved to lay the said motion on the table.

Mr. President put the question on agreeing to the motion. It was decided in the negative.

The ayes and nays having been moved and counted, the result was as follows:

FOR THE AFFIRMATIVE

Mr. Backus
Mr. Clark
Mr. Folsom
Mr. Hand

Mr. Lott
Mr. Porter
Mr. Sanford
Mr. Scovil

FOR THE NEGATIVE

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Johnson
Mr. Lester
Mr. Putnam
Mr. Sedgwick

Mr. President then put the question on agreeing to the motion. It was decided in the affirmative.

The said bill was then read the third time.

After debates thereon,

Mr. Chamberlain moved to lay said bill on the table.

Mr. President put the question on agreeing to the motion. It was decided in the negative.

The ayes and nays having been moved and counted, the result was as follows:

FOR THE AFFIRMATIVE

Mr. Backus
Mr. Chamberlain
Mr. Clark
Mr. Folsom

Mr. Hand
Mr. Jones
Mr. Lott
Mr. Porter

FOR THE NEGATIVE

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Denniston
Mr. Deyo

Mr. Emmons
Mr. Johnson
Mr. Lester
Mr. Putnam
Mr. Scovil

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After further debates thereon,

Mr. Chamberlain moved to lay the same on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Porter
Mr. Chamberlain	Mr. Hand	Mr. Sanford
Mr. Clark	Mr. Jones	Mr. Spencer
Mr. Eminons	Mr. Lott	Mr. Wheeler
		12

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. Talcott
Mr. Beekman	Mr. Putnam	Mr. Van Schoonhoven
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Deyo	Mr. S. Smith	
		11

The Assembly returned fifteen several bills with the following titles, to wit: "An act for the relief of Jannot C. Shippy;" also "An act to amend an act entitled 'An act in relation to the appointment of superintendents of the poor in the county of Westchester, and for other purposes,' passed May 6, 1845;" also "An act in relation to pleading in certain cases;" also "An act in relation to the appointment of inspectors of hops, fish and oil;" also "An act in relation to the temporary relief of the poor;" also "An act to provide for building a bridge across the Genesee-Valley Canal, at Clay-street in the city of Rochester;" also "An act authorizing the commissioners of highways of the town of Flatbush, in Kings county, to lay out a road of two rods in width;" also "An act for the relief of Ebenezer Murdock;" also "An act authorizing the towns of Martinsburgh and Greig, to construct a bridge across the Black river;" also "An act for the relief of Betsey Ludovick, an Indian woman;" also "An act in addition to an act entitled 'An act relating to documentary evidence,' passed May 14, 1845;" also "An act to authorize the commissioners of highways in the town of Flatbush, in Kings county, to widen a road therein mentioned;" also "An act to provide for the reconstruction and alteration of the highway between the village of Herkimer and Middleville, in Herkimer county;" also "An act for the relief of Amos Kingsley and Archibald Campbell;" and also "An act in relation to common schools in the town of Flatbush, in the county of Kings," with a message informing that they had passed the same severally without amendment.

Ordered, That the Clerk deliver the said bills to the Governor.

Mr. Hard then moved to suspend the special order, and that the Senate proceed to the third reading of the bills relating to railroads.

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Mr. President put the question on agree-
was decided in the negative.

The ayes and nays having been moved a-
low :

FOR THE AFFIRMATIVE

Mr. Beekman
Mr. Emmons

Mr. Folsom
Mr. Hard

FOR THE NEGATIVE

Mr. Backus
Mr. Barlow
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo

Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sanford
Mr. Scovil
Mr. S. Smith

Mr. Folsom, from the committee on engross-
rectly engrossed the bill entitled "An act ma-
the relief of Mount-Pleasant State Prison,
which was ordered to a third reading.

A message was received from the Govern-
this day approved and signed the bill entitled
Peter J. Wagner;" also "An act for the relief
also "An act authorizing the towns of Martine
struct a bridge across the Black River;" also
act entitled "An act relating to documentary
1845;" also "An act to provide for building
see-Valley canal, at Clay-street, in the city
act to authorize the commissioners of highway
bush, in Kings county, to widen a road there
act in relation to pleading in certain cases;" al
the reconstruction and alteration of the high
of Herkimer and Middleville, in Herkimer cou
lation to the temporary relief of the poor;" al
of Jannot C. Shippy;" also "An act authorizi
highways of the town of Flatbush, in Kings
two rods in width" also "An act to amend an
relation to the appointment of superintendents
of Westchester, and for other purposes," pass
"An act for the relief of Amos Kingsley and
also "An act in relation to common schools in
the county of Kings."

The bill from the Assembly entitled "An
tled 'An act in relation to the construction of
railroad,' passed May 14, 1845," was read the
two-thirds of all the members elected to the
thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Denniston	Mr. Lott	Mr. Wheeler
Mr. Deyo	Mr. Porter	Mr. Williams
Mr. Emmons	Mr. Putnam	

23

The bill from the Assembly entitled "An act for the relief of Merri^t Clark, Richard Clark, Ambrose Clark and George D. Wheeler, contractors on section number five of the Genesee Valley Canal," was read the third time.

Mr. President put the question on the final passage of said bill, and it was passed.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sedgwick
Mr. Barlow	Mr. Hard	Mr. Spencer
Mr. Beekman	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Putnam	Mr. Van Schoonhoven
Mr. Clark	Mr. Sanford	Mr. Williams

15

FOR THE NEGATIVE.

Mr. Denniston	Mr. Lester	Mr. S. Smith
Mr. Johnson	Mr. Porter	Mr. Young

6

The bill from the Assembly entitled "An act to provide for the construction of a railroad from Buffalo to the New-York and Erie Railroad, in the county of Cattaraugus," was read the third time and passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Barlow	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Porter	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom		

22

FOR THE NEGATIVE.

Mr. Beekman

Mr. Putnam

Mr. Scovil

3

The bill from the Assembly entitled "An act to alter the commissioners map of the city of Brooklyn, and for other purposes," was read the third time and passed: two thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus

Mr. Folsom

Mr. Scovil

Mr. Barlow

Mr. Hand

Mr. Sedgwick

Mr. Beekman

Mr. Hard

Mr. S. Smith

Mr. Beers

Mr. Johnson

Mr. Spencer

Mr. Burnham

Mr. Jones

Mr. Talcott

Mr. Chamberlain

Mr. Lester

Mr. Van Schoonhoven

Mr. Clark

Mr. Lott

Mr. Williams

Mr. Denniston

Mr. Porter

Mr. Wright

Mr. Deyo

Mr. Putnam

Mr. Young

Mr. Emmons

Mr. Sanford

29

The bill from the Assembly entitled "An act for the relief of Jonas Ingraham," with the engrossed amendments, was read the third time and passed.

The bill from the Assembly entitled "An act to provide for the completion of building a bridge across the Neversink river, in the town of Fallsburgh, in the county of Sullivan, near the store of M. T. Morse & Co.," was read the third time and passed.

The bill from the Assembly entitled "An act to authorize the mayor, aldermen and commonalty of the city of New-York, to raise money by loan and to create a public fund or stock to be called 'Building loan stock No. 2,'" was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus

Mr. Folsom

Mr. J. B. Smith

Mr. Barlow

Mr. Hand

Mr. S. Smith

Mr. Beekman

Mr. Hard

Mr. Spencer

Mr. Beers

Mr. Jones

Mr. Talcott

Mr. Burnham

Mr. Lott

Mr. Van Schoonhoven

Mr. Chambertain

Mr. Porter

Mr. Wheeler

Mr. Clark

Mr. Putnam

Mr. Williams

Mr. Denniston

Mr. Sanford

Mr. Wright

Mr. Deyo

Mr. Scovil

Mr. Young

Mr. Emmons

Mr. Sedgwick

29

Ordered, That the Clerk return the last seven mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled "An act to provide for building a bridge across the Roudout creek, above the High Falls, in the town of Marbletown, Ulster county," with the engrossed amendments, was read the third time and passed.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

On motion of Mr. Hand,

Ordered, That the bill from the Assembly entitled "An act in relation to the Clinton State Prison," be read the third time to-morrow at half past 10 o'clock, A. M., and that the question on the final passage thereof, be then taken without debate.

Mr. Chamberlain moved to lay the present and all intervening orders of business on the table, to enable him to make the motion next mentioned.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE

Mr. Backus	Mr. Emmons	Mr. Spencer
Mr. Barlow	Mr. Folsom	Mr. Van Schoonhoven
Mr. Beekman	Mr. Hard	Mr. Wheeler
Mr. Beers	Mr. Sedgwick	Mr. Williams
Mr. Chamberlain	Mr. S. Smith	

14

FOR THE NEGATIVE.

Mr. Burnham	Mr. Johnson	Mr. Scovil
Mr. Denniston	Mr. Porter	Mr. Wright
Mr. Deyo	Mr. Sanford	Mr. Young
Mr. Hand		

10

Thereupon,

On motion of Mr. Chamberlain,

Resolved, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to provide for the reconstruction of the locks on the Crooked Lake and Chemung canals and for other purposes," and that the same be ordered to a third reading, without amendment.

On motion of Mr. Williams,

Ordered, That said bill be read the third time, and the question on the final passage thereof be taken to-morrow morning, at 10 o'clock, without debate.

The Assembly returned four several bills with the following titles, to wit: "An act to change the name of the Black River Literary and Religious Institute;" also "An act to incorporate the village of Ebenezer, in the county of Erie;" also "An act for the benefit of the National Fire Insurance Company in the city of New-York;" also "An act to change the name of the Methodist Episcopal Church at Kingston, and for other purposes," with a message, informing that they had passed the same severally, without amendment.

Ordered, That the Clerk deliver the said bill to the Governor.

The Assembly examined and returned the bill entitled "An act for the relief of George J. E. Lasher."

Ordered, That the Clerk deliver the said bills to the Governor.

Mr. Talcott moved that the Senate do now take a recess till 11 o'clock, P. M.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Johnson	Mr. Sedgwick	
Mr. Brekman	Mr. Jones	Mr. S. Smith	
Mr. Beers	Mr. Lester	Mr. Spencer	
Mr. Denniston	Mr. Porter	Mr. Talcott	
Mr. Hand	Mr. Sanford	Mr. Williams	15

FOR THE NEGATIVE.

Mr. Burnham	Mr. Folsom	Mr. Scovil	
Mr. Chamberlain	Mr. Hard	Mr. J. B. Smith	
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Emmons	Mr. Putnam	Mr. Wright	12

Then the Senate took a recess till 11 o'clock, P. M.

ELEVEN O'CLOCK, P. M.

The Senate met.

The bill from the Assembly entitled "An act to consolidate and amend the act to incorporate the village of Lockport, passed March 26, 1829, and the several acts amendatory thereof," was read the third time and laid on the table, and the question on the final passage thereof ordered to be taken to-morrow morning at half past 8 o'clock.

On motion of Mr. Van Schoonhoven,

Ordered, That the bill from the Assembly entitled "An act to equalize taxation," be the special order for to-morrow morning after the consideration of the bill in relation to the Clinton State Prison, and that the question on the final passage of said bill be taken to-morrow morning at 11 o'clock, without debate except for explanation.

The bill from the Assembly entitled "An act for the relief of Stephen V. R. Ableman," was read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act to amend 'An act for the establishment and regulation of the police of the city of New-York,' passed May 7th, 1844," was read the third time, and the question of the final passage thereof laid on the table, and ordered to be taken to-morrow morning, fifteen minutes before 9 o'clock.

A bill was received from the Assembly entitled "An act to authorize the Canal Board to assume in behalf of the State the Dansville slip and basin," with a message, informing that they had concurred in the amendments reported by the committee of conference upon the subject of disagreement between the two Houses on said bill.

Mr. Denniston, from said committee of conference, then moved to suspend the rules, to enable him to make a report thereon.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Barlow	Mr. Hard	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Deyo	Mr. Porter	Mr. Van Schoonhoven

15

FOR THE NEGATIVE.

Mr. Eolsom	Mr. Jones	Mr. Sanford
Mr. Hand	Mr. Lott	

5

Mr. Denniston, from said committee of conference, reported in favor of concurring in said amendments.

Mr. Johnson moved that the Senate do concur in said amendments.

Thereupon,

On motion of Mr. Lott,

Ordered, That the whole subject be laid on the table, and that the said question be taken to-morrow morning, immediately after the reading of the minutes.

The bill from the Assembly entitled "An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18,

1838," was read the third time, and the question on the final passage thereof laid on the table, and ordered to be taken to-morrow morning after the bill to equalize taxation.

The bill from the Assembly entitled "An act to amend and explain the act entitled 'An act to condense and amend the several acts relating to the village of Williamsburgh,' passed April 23d, 1844, and for other purposes," was read, and thereupon,

Ordered, That the question on the final passage thereof be taken to-morrow morning after that last above mentioned.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule and the concurrent resolution of the Senate and Assembly be suspended, for the purpose of allowing this House to send for concurrence the following bill, entitled "An act to provide for the payment of certain expenses of Government."

Thereupon,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

Afterwards,

Said bill was received from the Assembly, read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Lester moved to reconsider the vote of yesterday on the final passage of the engrossed bill entitled "An act authorizing the Secretary of State to purchase two hundred and fifty copies of the Revised Statutes."

Thereupon,

Ordered, That said motion be laid on the table.

A bill was received from the Assembly entitled "An act to abolish distress for rent, and for other purposes," with a message informing that they had concurred with the Senate in their amendment thereto, and had amended the same accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

The Assembly returned three several bills with the following titles, to wit: "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain to Boonville;" also "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company;" also "An act to amend an act entitled 'An act for the relief of certain purchasers of lands in the second Oneida purchase of 1829,' passed May 9th, 1846," with a message informing that they had passed the same severally, without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly examined and returned three several bills with the following titles, to wit: "An act to perpetuate evidence of the deaths of Nicolaas Van Staphorst, and others;" also "An act for the relief of Patrick Cooney;" also "An act respecting the town records of the town of Goshen, destroyed by fire."

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Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Jones,

Resolved, That when the Senate adjourn it will adjourn to meet to-morrow morning at 8 o'clock.

Mr. Talcott moved to suspend the rules to offer a resolution.

Mr. President put the question on agreeing to said motion and it was decided in the negative.

Mr. Backus moved that the Senate do now adjourn.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Van Schoonhoven
Mr. Johnson	Mr. Porter	8

FOR THE NEGATIVE.

Mr. Beckman	Mr. Hand	Mr. Sanford
Mr. Deyo	Mr. Lott	Mr. Sedgwick
Mr. Emmons	Mr. Putnam	Mr. Spencer
Mr. Folsom		10

A bill was received from the Assembly entitled "An act to provide for the enrolment of the militia, and to encourage the formation of uniform companies," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

The said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

By unanimous consent,

On motion of Mr. Hand,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act declaring the River Saranac a public highway," and the said bill be ordered to a third reading.

Said bill was then read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled "An act to regulate the price for transporting freight on the Tonawanda Railroad," was read the third time and laid on the table.

On motion of Mr. Sedgwick,

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to incorporate the Syracuse Society of Brotherly Love," and said bill ordered to a third reading.

Said bill was then read the third time and laid on the table.

The engrossed bill entitled "An act making an appropriation for the relief of the Mount-Pleasant State Prison," was read the third time and passed.

Thereupon,

Resolved, (if the Assembly concur,) That the tenth joint rule of the Senate and Assembly be suspended, for the purpose of allowing this House to send said bill for concurrence.

Ordered, That the Clerk deliver a copy of said resolution to the Assembly.

Afterwards,

A message was received from the Assembly, informing that they had concurred in said resolution.

Thereupon,

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence in the same.

The bill from the Assembly entitled "An act to incorporate the American Agricultural Association," was read the third time, and laid on the table.

Three several bills from the Assembly with the following titles, to wit: "An act to revive and amend the charter of the Troy Turnpike and Railroad Company;" also "An act to amend 'An act to incorporate the stockholders of the Livingston County High School Association,' passed 11th March, 1827," also "An act in relation to the city of Brooklyn and the Brooklyn and Jamaica Railroad Company," were severally read the third time and laid on the table.

On motion of Mr. Hand,

Ordered, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled "An act to build an armory for the guard at Auburn State Prison," and the same be engrossed for a third reading.

The bill from the Assembly entitled "An act to provide for building a bridge across the Walkill, between the houses of John R. Wood and Refton mills, in the county of Ulster," was read the third time and passed.

On motion,

Ordered, That the committee of the whole be discharged from the further consideration of the bills from the Assembly of the following titles, to wit: "An act to confirm the official acts of James G. Lynds, a justice of the peace;" also "An act to confirm the official acts of Joseph Betts, a justice of the peace;" also "An act to confirm the official acts of Hiram E. Conger, as justice of the peace," and that the same be ordered to a third reading.

Thereupon,

The said bills were severally read the third time and passed.

The bill from the Assembly entitled "An act for the relief of Robert Renwick, Jr., Zebina Wilson, Jr., and the heirs of Zebina Wilson, late deceased," was read the third time and passed.

The bill from the Assembly entitled "An act concerning quarantine

and regulations in the nature of quarantine at the port of New-York," was read the third time and passed.

The bill from the Assembly entitled "An act in relation to the keeping of gun-powder, saltpetre and certain other substances in the city of New York," was read the third time and passed.

Ordered, That the Clerk return said last seven mentioned bills to the Assembly, with a message informing that the Senate have passed the same severally without amendment.

On motion of Mr. Spencer,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the act entitled 'An act relative to incorporations for manufacturing purposes,' passed March 22, 1811," and that the amendments be engrossed and the bill to a third reading.

The bill from the Assembly entitled "An act to provide for the construction of a railroad from Schenectady to the New-York and Erie Railroad, in the county of Chenango or Broome," was read the third time and laid on the table.

On motion of Mr. Van Schoonhoven,

Ordered, That the Senate do disagree to the report of the select committee to whom was referred the bill from the Assembly entitled "An act in relation to the city of Troy;" that the same be ordered to a third reading without amendment, and that the question on the final passage thereof be taken at 12 o'clock to-morrow, at noon.

Thereupon,

On motion of Mr. Backus,

The Senate adjourned to 8 o'clock to-morrow morning.

WEDNESDAY, 8 O'CLOCK, A. M., MAY 13, 1846.

The Senate met pursuant to adjournment.

By unanimous consent,

On motion of Mr. Hard,

Resolved, That the reading of the minutes of yesterday be dispensed with, and that the same together with the proceedings of this day, be examined and approved by the President and Clerk.

Pursuant to order,

Mr. President put the question on concurring in the amendments reported by the committee of conference upon the subject of disagreement between the two houses, on the bill from the Assembly entitled "An act to authorize the Canal Board to assume in behalf of the State the Dansville slip and basin," and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Lester	Mr. Talcott
Mr. Barlow	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. S. Smith	Mr. Young
Mr. Folsom	Mr. Spencer	

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FOR THE NEGATIVE.

Mr. Burnham	Mr. Lott	Mr. J. B. Smith
Mr. Chamberlain		

4

Ordered, That the Clerk return said bill to the Assembly.

Mr. Hard, from the select committee, to whom was referred the bill from the Assembly entitled "An act relative to the village of Medina," to report complete, reported the same without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Jones, from the committee on the division of towns and counties, to whom was referred the bill from the Assembly entitled "An act to erect the town of Gilbertsville, in the county of Otsego," reported against the passage thereof, which was laid on the table.

Mr. Lester, from the committee on banks and insurance companies, to whom was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act to abolish the office of Bank Commissioner, and for other purposes,' passed April 19, 1843," reported in favor of the passage thereof, without amendment, which was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Porter, from the select committee, to whom was referred the surrogates' returns, made a written report thereon, which was laid on the table.

Ordered, That the usual number of copies of said report be printed.

[See Senate Document No. 144.]

On motion of Mr. Sedgwick,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Rozel and Charles Blackman and others," and that the same be ordered to a third reading.

On motion of Mr. Clark,

The Senate proceeded to the further consideration of the report of the select committee relative to expenditures on the northern section of the Champlain canal and Glen's Falls feeder, &c.

After debates thereon,

Mr. Porter moved to lay the said report on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Lester	Mr. Talcott
Mr. Beers	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Hand	Mr. S. Smith	

11

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Putnam
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Emmons		

13

Mr. Porter then moved to refer the same to the Canal Board.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beckman	Mr. Johnson	Mr. Talcott
Mr. Beers	Mr. Lester	Mr. Williams
Mr. Denniston	Mr. Porter	Mr. Young
Mr. Deyo	Mr. Sedgwick	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Burnham	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
M. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wright

15

After further debates thereon,

Mr. Johnson moved to lay the whole subject on the table.

Mr. President put the question on agreeing to said motion.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Beckman	Mr. Beers
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Mr. Denniston
Mr. Deyo
Mr. Hand
Mr. Johnson

Mr. Lester
Mr. Porter
Mr. Sedgwick
Mr. S. Smith

FOR THE NEGATI

Mr. Backus
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Emmons

Mr. Folsom
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Putnam

The ayes and nays being equally divided casting vote in the affirmative.

Thereupon,

Ordered, That the said report be laid on the table. Mr. President put the question on the final passage of the bill. The yeas were 100, and the nays 10. The bill was then passed. The Assembly entitled "An act to amend the establishment and regulation of the police of the city of New Orleans," passed May 7, 1844, and it was passed: 100 yeas, 10 nays. The bill was then passed: 100 yeas, 10 nays. The bill was then passed: 100 yeas, 10 nays.

FOR THE AFFIRMAT

Mr. Backus
Mr. Beekman
Mr. Beers
Mr. Chamberlain
Mr. Deyo
Mr. Emmons
Mr. Folsom
Mr. Hand
Mr. Hard

Mr. Johnson
Mr. Jones
Mr. Lester
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sanford
Mr. Sedgwick

Mr President put the question on the fin the Assembly entitled "An act to consoli corporate the village of Lockport, passed M veral acts amendatory thereof," and it wa the members elected to the Senate voting

FOR THE AFFIRMAT

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Eminons
Mr. Folsom

Mr. Hand
Mr. Hard
Mr. Jones
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sedgwick

FOR THE NEGATIVE.

Mr. Johnson

Mr. Lester

2

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to amend and explain the act entitled 'An act to condense and amend the several acts relating to the village of Williamsburgh, passed April 23, 1814,' and for other purposes," and it was passed: two-thirds of all the members elected to the Senate voting in favor of the passage thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. J. B. Smith
Mr. Beers	Mr. Johnson	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Denniston	Mr. Lot	Mr. Van Schoonhoven
Mr. Deyo	Mr. Porter	Mr. Wheeler
Mr. Emmons	Mr. Putnam	Mr. Williams
Mr. Folsom	Mr. Sanford	Mr. Young

24

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to regulate the price for transporting freight on the Tonawanda railroad," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Burnham	Mr. Jones	Mr. Van Schoonhoven
Mr. Clark	Mr. Lester	Mr. Wheeler
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Putnam	Mr. Wright
Mr. Emmons	Mr. Sanford	

23

FOR THE NEGATIVE.

Mr. Backus	Mr. Sedgwick	Mr. Spencer
Mr. Chamberlain		

4

Pending the vote on the last bill, Mr. Lot was excused, and Mr. Porter and Mr. Hand were not excused from voting thereon.

Mr. President put the question upon the final passage of the bill from the Assembly entitled "An act in relation to the city of Brooklyn and the Brooklyn and Jamaica Railroad Company," and it was passed:

two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. J. B. Smith
Mr. Barlow	Mr. Hatd	Mr. S. Smith
Mr. Beers	Mr. Johnson	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Putnam	Mr. Williams
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. Sedgwick	Mr. Young

27

Mr. President put the question upon the final passage of the bill from the Assembly entitled "An act to incorporate the American Agricultural Association," and it was passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Beers	Mr. Johnson	Mr. Talcott
Mr. Chamberlain	Mr. Porter	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Denniston	Mr. Sanford	Mr. Williams
Mr. Deyo	Mr. Sedgwick	Mr. Young
Mr. Emmons		

25

FOR THE NEGATIVE.

Mr. Lott

1

Mr. President put the question upon the final passage of the bill from the Assembly entitled "An act to incorporate the Syracuse Society of Brotherly Love," and it was passed : two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Clark	Mr. Johnson
Mr. Barlow	Mr. Denniston	Mr. Jones
Mr. Beekman	Mr. Deyo	Mr. Lott
Mr. Beers	Mr. Emmons	Mr. Sanford
Mr. Burnham	Mr. Hand	Mr. Sedgwick
Mr. Chamberlain	Mr. Hard	Mr. J. B. Smith

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Uuuu

Mr. S. Smith
Mr. Spencer
Mr. Talcott

Mr. Wheeler
Mr. Williams

Mr. Wright
Mr. Young

25

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to provide for the construction of a railroad from Schenectady to the New-York and Erie railroad, in the county of Chenango or Broome," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Clark
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sanford
Mr. Sedgwick

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams
Mr. Wright

26

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to revive and amend the charter of the Troy Turnpike and Railroad Company," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hard
Mr. Hard
Mr. Johnson
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sanford
Mr. Sedgwick

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams
Mr. Young

26

The bill from the Assembly entitled "An act in relation to Flushing avenue, in the city of Brooklyn," was read the third time and passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow

Mr. Beers
Mr. Burnham

Mr. Chamberlain
Mr. Clark

Mr. Denniston
Mr. Deyo
Mr. Eminons
Mr. Hand
Mr. Hard
Mr. Lott

Mr. Porter
Mr. Putnam
Mr. Sedgwick
Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer

Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams
Mr. Wright
Mr. Young

24

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to amend 'An act to incorporate the stockholders of the Livingston County High School Association,' passed 10th March, 1827," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Beers
Mr. Burnham
Mr. Chamberlain
Mr. Denniston
Mr. Deyo
Mr. Emmons

Mr. Folsom
Mr. Hand
Mr. Hard
Mr. Johnson
Mr. Jones
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sanford

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Wheeler
Mr. Williams
Mr. Wright
Mr. Young

27

Ordered, That the Clerk return the last eleven mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

Mr. President put the question on the final passage of the bill from the Assembly entitled "An act to amend the act entitled 'An act to authorize the business of banking,' passed April 18, 1838," and it was declared by the President to be lost: two-thirds of all the members elected to the Senate not voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Denniston
Mr. Deyo
Mr. Emmons
Mr. Hard
Mr. Johnson

Mr. Jones
Mr. Lester
Mr. Lott
Mr. Porter
Mr. Putnam
Mr. Sanford
Mr. Sedgwick

Mr. J. B. Smith
Mr. S. Smith
Mr. Spencer
Mr. Talcott
Mr. Van Schoonhoven
Mr. Williams

20

FOR THE NEGATIVE.

Mr. Beekman
Mr. Beers

Mr. Chamberlain
Mr. Clark

Mr. Folsom
Mr. Hand

6

Mr. Lester appealed from the said decision of the chair, which appeal was laid on the table.

Mr. Hard moved to reconsider the vote of yesterday on the final passage of the engrossed bill entitled "An act in relation to railroad companies," which was laid on the table.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule be suspended to allow the transmission to the Senate of the bills entitled "An act to amend the common school laws in relation to county superintendents;" also "An act to amend 'An act entitled 'An act to provide for the incorporation of religious societies,' passed April 5th, 1813;" also "An act establishing a court of special session in the city of Albany;" also "An act to amend an act entitled 'An act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842."

Thereupon,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver a copy of the last resolution to the Assembly.

Said four mentioned bills were then received from the Assembly for concurrence, and severally read the first time, and by unanimous consent were also read a second time, and referred as follows, to wit: the first, to the committee on literature; the second, to the committee on charitable and religious societies; the third, to the committee on the judiciary; and the fourth, to the committee on the incorporation of cities and villages.

The bill from the Assembly entitled "An act to amend the act entitled 'An act relative to incorporations for manufacturing purposes,' passed March 22, 1811," was read the third time and lost: two-thirds of all the members elected to the Senate not voting in favor thereof, as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. Scovil
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom		

16

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. J. B. Smith
Mr. Beekman	Mr. Lester	Mr. S. Smith
Mr. Beers	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Sedgwick	Mr. Young
Mr. Hand		

13

Ordered, That the Clerk return said bill to the Assembly, and inform them the Senate do not concur in the passage thereof.

Mr. Young, from the committee on literature, to whom was referred the bill from the Assembly entitled "An act to amend the common school laws in relation to county superintendents, &c.," reported against the passage thereof, which report was agreed to by the Senate.

Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate do not concur in the passage thereof.

The Assembly returned the bill entitled "An act extending the powers of a justice of the peace, as to issuing executions after the term of his office has expired," with a message, informing that they had passed the same with the amendments therewith delivered, which amendments were read.

Thereupon,

Resolved, That the Senate do concur therein.

Ordered, That the Clerk deliver said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

Afterwards,

The Assembly, having examined, returned said bill.

Ordered, That the Clerk deliver the same to the Governor.

Mr. Folsom, from the committee on engrossed bills, reported as correctly engrossed the bill entitled "An act for building an armory for the Auburn Guards at Auburn," which was ordered to a third reading.

On motion of Mr. Sanford,

Mr. President put the question on concurring in the amendments of the Senate to the amendments of the Assembly to the bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," and it was passed: two-thirds of all the members elected to the Senate voting in favor thereof, as follow:

FOR THE AFFIRMATIVE

Mr. Beekman	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Talcott
Mr. Clark	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sanford	Mr. Williams
Mr. Eminons	Mr. Sedgwick	Mr. Wright
Mr. Folsom	Mr. J. B. Smith	Mr. Young
Mr. Hand		

25

FOR THE NEGATIVE.

Mr. Backus	Mr. Beers	Mr. Johnson	3
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Ordered, That the Clerk return the said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, with the amendments therewith delivered.

The Assembly returned the bill entitled "An act to incorporate the New-York and Offing Magnetic Telegraph Association," with a message informing that they had concurred with the Senate in their amendments to the amendments of the Assembly to the said bill.

Said bill having been amended accordingly,

Ordered, That the Clerk deliver said bill to the Assembly, and inform them that the Senate have amended the same according to the amendments agreed upon by the two Houses.

Afterwards,

The Assembly, having examined, returned said bill.

Ordered, That the Clerk deliver the same to the Governor.

A bill was received from the Assembly entitled "An act authorizing the Canal Board to assume in behalf of the State the Danversville slip and basin," with a message, informing that they had amended said bill agreeably to the amendment agreed upon by the two houses.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

Two several bills received from the Assembly with the following titles, to wit: "An act to provide for building a bridge across the Rondout creek, above the High falls in the town of Marbletown, Ulster county;" also "An act for the relief of Jonas Ingraham," with a message informing that they had concurred with the Senate in their amendments thereto and had amended the same accordingly.

The said amended bills having been examined,

Ordered, That the Clerk deliver the same to the Governor.

Mr. Clark, from the committee on charitable and religious societies, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," reported against the passage thereof, which was agreed to by the Senate.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to subject to taxation certain debts owing to non-residents of the United States," reported against the passage thereof, which was laid on the table.

Mr. Beers, from the committee on the incorporation of cities and villages, to whom was referred the bill from the Assembly entitled "An act to amend an act entitled 'An act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842," reported in favor of the passage thereof, which was committed to a committee of the whole.

Mr. Clark moved to suspend the rules, to enable him to offer the motion next mentioned.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus

Mr. Burnham

Mr. Chamberlain

Mr. Clark	Mr. Lott	Mr. Spencer
Mr. Emmons	Mr. Putnam	Mr. Van Schoonhoven
Mr. Folsom	Mr. Scovil	Mr. Wheeler
Mr. Hard	Mr. J. B. Smith	Mr. Wright
Mr. Jones		

16

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sanford	Mr. Young

15

Mr. Clark then moved that the bill from the Assembly entitled "An act to reduce the expenses of the canal repairs," be taken from the "general orders," and ordered to a third reading, and that the same be now read the third time, and the question on the final passage be taken forthwith without debate.

After debates thereon, to the hour of 10 o'clock.

Mr. Williams moved to suspend the present order, and that the Senate proceed to the third reading of the bills set down for this hour.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Deaniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sanford	Mr. Young

15

FOR THE NEGATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Burnham	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright

15

The ayes and nays being equally divided, Mr. President gave the casting vote in the affirmative.

The bill from the Assembly entitled "An act to provide for the reconstruction of certain locks on the Crooked Lake and Chemung canals, and for other purposes," was then read the third time.

Mr. President put the question on the final passage of the said bill, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Chamberlain	Mr. Sedgwick
Mr. Barlow	Mr. Emmons	Mr. Spencer
Mr. Beekman	Mr. Folsom	Mr. Van Schoonhoven
Mr. Beers	Mr. Hard	Mr. Wheeler
Mr. Burnham	Mr. Putnam	Mr. Williams

15

FOR THE NEGATIVE.

Mr. Clark	Mr. Lester	Mr. J. B. Smith
Mr. Denniston	Mr. Lott	Mr. S. Smith
Mr. Deyo	Mr. Porter	Mr. Talcott
Mr. Hand	Mr. Sanford	Mr. Wright
Mr. Johnson	Mr. Scovil	Mr. Young
Mr. Jones		

16

Mr. Chamberlain moved to reconsider the vote last taken, and then moved that said motion be laid on the table.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Burnham	Mr. Lester	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Putnam	Mr. Wheeler
Mr. Clark	Mr. Sedgwick	Mr. Williams
Mr. Emmons		

16

FOR THE NEGATIVE.

Mr. Barlow	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Porter	Mr. Talcott
Mr. Denniston	Mr. Sanford	Mr. Wright
Mr. Deyo	Mr. Scovil	Mr. Young
Mr. Hand		

13

Mr. President named Mr. Lott to perform the duties of the chair, and Mr. Lott having taken the chair,

Mr. Chamberlain moved that the Senate proceed to the further con-

deration of Mr. Clark's said motion above mentioned, relative to the canal repair bill.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Burnham	Mr. Jones	Mr. Spencer
Mr. Chamberlain	Mr. Lott	Mr. Van Schoonhoven
Mr. Clark	Mr. Putnam	Mr. Wheeler
Mr. Emmons	Mr. Scovil	Mr. Wright
Mr. Folsom		

16

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Denniston	Mr. Porter	Mr. Williams
Mr. Deyo	Mr. Sanford	Mr. Young

15

Mr. Johnson then moved to postpone the further consideration of said motion indefinitely.

After debates thereon,

Mr. Beers moved to lay the whole subject on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. S. Smith
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Burnham	Mr. Porter	Mr. Williams
Mr. Denniston	Mr. Sanford	Mr. Young
Mr. Deyo		

16

FOR THE NEGATIVE.

Mr. Backus	Mr. Hard	Mr. J. B. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	Mr. Van Schoonhoven
Mr. Emmons	Mr. Putnam	Mr. Wheeler
Mr. Folsom	Mr. Scovil	Mr. Wright

15

Mr. Chamberlain then moved that the said bill be taken from the general orders and ordered to a third reading, and that the question on the final passage thereof be taken at half past 11 o'clock, without debate.

Mr. Denniston moved to postpone the whole subject indefinitely.

Mr. Johnson proceeding to debate,

Mr. Hard raised a point of order, that the question was not debateable.

Mr. President decided that the motions being privileged, the first made must be first put, and the said first motion relating to the priority of business was not debateable.

Mr. Johnson appealed from the decision of the Chair.

Without taking the question on said appeal, the hour of 11 having arrived,

Mr. Beers called for the execution of the special order.

Mr. Clark moved to suspend the special order until after the question on said appeal was taken.

Mr. President put the question on agreeing to the last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Putnam
Mr. Burnham	Mr. Hard	Mr. S. Smith
Mr. Chamberlain	Mr. Jones	Mr. Spencer
Mr. Clark	Mr. Lott	

11

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Johnson	Mr. Talcott
Mr. Beers	Mr. Lester	Mr. Van Schoonhoven
Mr. Denniston	Mr. Porter	Mr. Wheeler
Mr. Deyo	Mr. Sanford	Mr. Wright
Mr. Folsom	Mr. Scovil	Mr. Young

18

Thereupon,

The bill from the Assembly entitled "An act to equalize taxation," was read the third time.

Debates being had, but without taking the question on the final passage thereof,

Mr. Porter, from the committee on finance, to whom was referred the bill from the Assembly entitled "An act to provide for the payment of certain expenses of government," reported in favor of the passage thereof, with amendments, and moved that the amendments be ordered engrossed, and the bill to a third reading.

The 1st and 2d amendments reported by said committee were then read as follows:

Subdivision 6, relating to compensation to Hiram Allen, strike out "three" in the first line and insert "two;" also strike out the words "and the same mileage as is allowed by law to members of the Assembly."

Mr. President put the question on agreeing to said amendments, and it was decided in the affirmative.

Mr. Clark then moved to amend said report as follows:

Subdivision 10, in section 1st, strike out "and" in the 2nd line, and insert "but without."

Mr. President put the question on agreeing to said amendments, and it was decided in the affirmative.

Mr. Clark then moved to amend said report as follows:

Subdivision 12, in section 1st, strike out "and" in the 2d line and insert "but without."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The following amendment reported by said committee was then read.

Subdivision 13, section 1st, strike out the words "the sum of \$35 for mileage and."

Mr. President then put the question on agreeing to said motion, and it was decided in the affirmative.

The following amendment reported by said committee was read, to wit: "Strike out the subdivision in favor of Alexander Donaldson, at bottom of the 3rd page."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded were equally divided as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Folsom	Mr. Porter
Mr. Beekman	Mr. Hand	Mr. S. Smith
Mr. Clark	Mr. Johnson	Mr. Talcott
Mr. Denniston	Mr. Lester	Mr. Young
Mr. Deyo	Mr. Lott	

14

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. J. B. Smith
Mr. Beers	Mr. Putnam	Mr. Spencer
Mr. Chamberlain	Mr. Sanford	Mr. Wheeler
Mr. Eminons	Mr. Scovil	Mr. Wright
Mr. Hard	Mr. Sedgwick	

14

The following amendment reported was read, to wit: "Strike out the subdivision in 4th page, giving compensation to Stephen Wilson."

Mr. President put the question on agreeing to said amendment, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Johnson	Mr. Porter
Mr. Beers	Mr. Lester	Mr. S. Smith
Mr. Denniston	Mr. Lott	Mr. Young
Mr. Deyo		

10

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Beekman	Mr. Hard	Mr. Spencer
Mr. Chamberlain	Mr. Jones	Mr. Talcott
Mr. Clark	Mr. Putnam	Mr. Van Schoonhoven
Mr. Emmons	Mr. Sanford	Mr. Wright
Mr. Folsom		

16

The next amendment reported was read as follows : " Strike out the 2d section of the bill which authorizes the purchase of 2,500 copies of the 3d edition of the Revised Statutes."

Mr. President put the question on agreeing to said amendments, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Beekman	Mr. Hand	Mr. J. B. Smith
Mr. Beers	Mr. Hard	Mr. S. Smith
Mr. Burnham	Mr. Johnson	Mr. Wheeler
Mr. Chamberlain	Mr. Lott	Mr. Wright
Mr. Clark	Mr. Porter	Mr. Young

15

Mr. Backus	Mr. Jones	Mr. Sedgwick
Mr. Barlow	Mr. Lester	Mr. Spencer
Mr. Denniston	Mr. Putnam	Mr. Talcott
Mr. Emmons	Mr. Sanford	Mr. Van Schoonhoven
Mr. Folsom		

13

Mr. Clark then moved to amend said report, by inserting as the 2d section of said bill, the following :

§ 2. The Secretary of State is required to purchase one hundred copies of the third edition of the Revised Statutes, to be placed in the Senate and Assembly library rooms."

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Sanford
Mr. Barlow	Mr. Hard	Mr. Sedgwick
Mr. Clark	Mr. Jones	Mr. Spencer
Mr. Denniston	Mr. Lester	Mr. Talcott
Mr. Emmons	Mr. Putnam	

14

FOR THE NEGATIVE.

Mr. Beekman	Mr. Lott	Mr. S. Smith
Mr. Beers	Mr. Porter	Mr. Wright
Mr. Hand	Mr. Scovil	Mr. Young
Mr. Johnson	Mr. J. B. Smith	

11

Said report, as amended, was then agreed to by the Senate, and the amendments ordered engrossed, and the bill to a third reading.

Said bill, with the engrossed amendments, was then read the third time and passed.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Afterwards,

Said bill was received from the Assembly with a message informing that they had concurred in the amendments of the Senate thereto, and had amended the same accordingly.

The said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

The annual report of the trustees of the Northern Dispensary of New-York, was received, read and laid on the table.

Ordered, That the usual number of copies of said report thereof, be printed.

[See Senate Document No. 145.]

Mr. Sanford, from the select committee, to whom was referred the bill from the Assembly entitled "An act to reduce the fees of certain officers and for other purposes," to report complete, reported the same with amendments, which was laid on the table.

On motion of Mr. Clark,

Resolved, That there be paid as part of the contingent expenses of the Senate to Burgess Wands, three dollars per day for the time he has attended upon the Senate as porter, during the present session of the Legislature, and three days after for cleaning the chamber, pursuant to the 7th section of title 6th, of the first part of the Revised Statutes.

On motion of Mr. Clark,

Resolved, That there be paid as part of the contingent expenses of the Senate, to Joseph Courtney, Jr., and to John H. Finnegan each, the sum of one dollar and fifty cents per day, for the time they have attended on the Senate as messengers, and three days after for collecting books, &c., pursuant to the 7th section of title 6th, chapter 7th, of the first part of the Revised Statutes.

A copy of a resolution was received from the Assembly, and read as follows:

Resolved, (if the Senate concur,) That the tenth joint rule be suspended to allow the transmission to the Senate for concurrence of the bill entitled "An act to incorporate the Emmet Mutual Benefit Benevolent Society of New-York;" also "An act to continue in force the act incorporating the ancient Britons Benefit Society of Utica."

Thereupon,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver a copy of the last resolution to the Assembly.

Said bills were then received from the Assembly for concurrence and severally read the first time, and by unanimous consent were also read a second time.

Mr. Spencer moved that said bills be ordered to a third reading, which motion was laid on the table.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the time for the adjournment of the Legislature be extended to four o'clock this afternoon.

Thereupon,

Resolved, That the Senate concur in said resolution, with the following amendment, by striking out "four," and inserting "one."

Ordered, That the Clerk deliver a copy of the last resolution to the Assembly.

Afterwards,

A message was received from the Assembly, informing that they had concurred in the amendments of the Senate to said resolution, and had amended the same accordingly.

On motion of Mr. Putnam,

Resolved, unanimously, That the cordial and sincere thanks of this Senate be tendered to the Hon. Addison Gardiner, for the able, impartial and dignified manner in which he has presided over the deliberations of the Senate during its present session.

Ordered, That the Clerk deliver a copy of said resolution to the Lieutenant-Governor.

A copy of a resolution was received from the Assembly, and read in the words following, to wit:

Resolved, (if the Senate concur,) That the tenth joint rule be suspended to allow the transmission to the Senate for concurrence of the bill entitled "An act for the arrangement of the Senate districts."

Thereupon,

Resolved, That the Senate do concur in said resolution.

Ordered, That the Clerk deliver a copy of the last resolution to the Assembly.

Said bill was then received from the Assembly for concurrence, and read the first time, and by unanimous consent was also read a second time.

Mr. Lester moved to suspend the rules, and that said bill be now ordered to a third reading.

Mr. Clark moved to refer said bill to a select committee to report complete.

Mr. President put the question on agreeing to said last motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Burnham	Mr. Hard	Mr. Scovil	
Mr. Chamberlain	Mr. Jones	Mr. J. B. Smith	
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Emmons	Mr. Putnam	Mr. Wright	12

FOR THE NEGATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Barlow	Mr. Johnson	Mr. Spencer	
Mr. Beekman	Mr. Lester	Mr. Talcott	
Mr. Beers	Mr. Porter	Mr. Van Schoonhoven	
Mr. Denniston	Mr. Sanford	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Folsom			19

Mr. President then put the question on agreeing to said first motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. S. Smith	
Mr. Barlow	Mr. Johnson	Mr. Spencer	
Mr. Beekman	Mr. Jones	Mr. Talcott	
Mr. Beers	Mr. Lester	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Porter	Mr. Wheeler	
Mr. Denniston	Mr. Sanford	Mr. Williams	
Mr. Deyo	Mr. Sedgwick	Mr. Young	
Mr. Folsom	Mr. J. B. Smith		23

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Emmons	Mr. Putnam	
Mr. Clark	Mr. Hard		5

Said bill was then read the third time.

Mr. President put the question on the final passage of the said bill and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. J. B. Smith
Mr. Barlow	Mr. Hand	Mr. S. Smith
Mr. Beekman	Mr. Johnson	Mr. Spencer
Mr. Beers	Mr. Lester	Mr. Talcott
Mr. Burnham	Mr. Porter	Mr. Van Schoonhoven
Mr. Denniston	Mr. Putnam	Mr. Wheeler
Mr. Deyo	Mr. Sanford	Mr. Williams
Mr. Emmons	Mr. Sedgwick	Mr. Young

24

FOR THE NEGATIVE.

Mr. Chamberlain	Mr. Lott	Mr. Wright
Mr. Hard		

4

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Hand moved to suspend the rules to enable him to offer a resolution.

Mr. President put the question on agreeing to the last motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. S. Smith
Mr. Barlow	Mr. Lott	Mr. Spencer
Mr. Clark	Mr. Porter	Mr. Talcott
Mr. Folsom	Mr. Sanford	Mr. Wheeler
Mr. Hand		

13

FOR THE NEGATIVE.

Mr. Beekman	Mr. Emmons	Mr. Sedgwick
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven
Mr. Chamberlain	Mr. Johnson	Mr. Williams
Mr. Denniston	Mr. Lester	Mr. Wright
Mr. Deyo	Mr. Putnam	

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Mr. Hand then offered the following resolution.

Resolved, That the bill from the Assembly entitled "An act in relation to the Clinton State Prison," be now read the third time.

Mr. Chamberlain moved to amend said resolution, by striking out all after the word "resolved," and to insert in lieu thereof the words, "and that the Senate proceed to the consideration of the motion to reconsider the vote on the final passage of the bill from the Assembly entitled "An act to provide for the reconstruction of certain locks on the Crooked Lake and Chemung canals, and for other purposes."

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Spencer	
Mr. Beers	Mr. Hard	Mr. Talcott	
Mr. Burnham	Mr. Sedgwick	Mr. Wheeler	
Mr. Chamberlain	Mr. J. B. Smith	Mr. Williams	
Mr. Emmons	Mr. S. Smith	Mr. Wright	15

FOR THE NEGATIVE.

Mr. Barlow	Mr. Jones	Mr. Putnam	
Mr. Denniston	Mr. Lester	Mr. Sanford	
Mr. Deyo	Mr. Lott	Mr. Seovil	
Mr. Hand	Mr. Porter	Mr. Young	
Mr. Johnson			13

Mr. President put the question on agreeing to said resolution as amended, and it was decided in the affirmative.

Mr. President then put the question on the reconsideration of said vote, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Spencer	
Mr. Barlow	Mr. Hard	Mr. Talcott	
Mr. Beers	Mr. Putnam	Mr. Van Schoonhoven	
Mr. Burnham	Mr. J. B. Smith	Mr. Wheeler	
Mr. Chamberlain	Mr. S. Smith	Mr. Williams	
Mr. Clark			16

FOR THE NEGATIVE.

Mr. Denniston	Mr. Deyo	Mr. Hand
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Mr. Johnson	Mr. Lott	Mr. Scovil
Mr. Jones	Mr. Porter	Mr. Young
Mr. Lester	Mr. Sanford	

11

Mr. President put the question on the final passage of said bill, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Emmons	Mr. Spencer
Mr. Barlow	Mr. Folsom	Mr. Talcott
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven
Mr. Burnham	Mr. Putnam	Mr. Wheeler
Mr. Chamberlain	Mr. Sedgwick	Mr. Williams

15

FOR THE NEGATIVE.

Mr. Clark	Mr. Johnson	Mr. Scovil
Mr. Denniston	Mr. Jones	Mr. S. Smith
Mr. Deyo	Mr. Lott	Mr. Wright
Mr. Hand	Mr. Porter	Mr. Young

12

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Porter moved to suspend the rules for the purpose of the third reading of the bill next mentioned.

Mr. President put the question on agreeing to said motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Hand	Mr. Sedgwick
Mr. Burnham	Mr. Jones	Mr. S. Smith
Mr. Chamberlain	Mr. Lott	Mr. Spencer
Mr. Deyo	Mr. Porter	Mr. Wheeler
Mr. Folsom		

13

FOR THE NEGATIVE.

Mr. Beekman	Mr. Hard	Mr. Van Schoonhoven
Mr. Denniston	Mr. Johnson	Mr. Wright
Mr. Emmons	Mr. Talcott	

8

Thereupon,

The bill from the Assembly entitled "An act supplementary to the act passed May 7, 1844, entitled an act supplementary to the act entitled 'An act to provide for paying the debt and preserving the credit of the State,' passed March 29, 1842," was read the third time and passed.

Ordered, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Hand moved to suspend the rules for the purpose of allowing the Clinton prison bill to be now read the third time.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

A communication was received from Hon. A. Gardiner, Lieutenant-Governor and President of the Senate, and read in the words following, to wit:

TO THE PRESIDENT *pro. tem.* OF THE SENATE.

A resolution of the Senate in reference to myself has this moment been placed in my hands. Permit me, through you, sir, to communicate my acknowledgments to the Senate for this mark of their consideration; my thanks for their courtesy during the period I have had the honor of presiding over their deliberations; my best wishes for the welfare of every Senator, and my cordial congratulations that the present important, but protracted session, is about to terminate.

Yours, very respectfully,

A. GARDINER.

A copy of a resolution was received from the Assembly, and read as follows:

Resolved, (if the Senate concur,) That the session of this Legislature be extended until half past three this day, to enable the Legislature to take such measures as are due to the honor of the State, in respect to the hostilities commenced by Mexico against the United States.

Mr. Porter moved to amend said resolution as follows:

Resolved, That the Senate do concur with the following amendment.

Strike out all after the words "until" and insert "2 o'clock, P. M."

Mr. President put the question on agreeing to said amendment, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Backus
Mr. Barlow
Mr. Beekman
Mr. Burnham

Mr. Chamberlain
Mr. Emmens
Mr. Folsom
Mr. Hand

Mr. Hard
Mr. Johnson
Mr. Lester
Mr. Lott

Mr. Porter
Mr. Putnam
Mr. Sedgwick

Mr. J. B. Smith
Mr. Van Schoonhoven
Mr. Wright
Mr. Young

19

FOR THE NEGATIVE.

Mr. Clark
Mr. Denniston

Mr. Deyo
Mr. Jones

Mr. Sanford
Mr. S. Smith

6

Said resolution as amended was then agreed to by the Senate.

Ordered, That the Clerk deliver a copy of the last resolution to the Assembly.

Afterwards,

A message was received from the Assembly informing that they had concurred in said amendment.

A message was received from the Assembly, informing that they had passed, without amendment, twenty-nine several bills, with the following titles, to wit: "An act to amend an act entitled 'An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson river, and for other purposes,' passed April 12, 1837, and to amend an act entitled 'An act creating a public fund or stock in the city of New-York, to be called the Croton water stock, and in relation to the sinking fund of said city,' passed May 13th, 1845;" also "An act to amend the act entitled 'An act to incorporate the Lackawack and Neversink Turnpike Company,' passed May 7, 1844;" also "An act to divide the town of Westchester, in the county of Westchester;" also "An act to authorize the president and directors of the Seneca Road Company to abandon a part of their road;" also "An act to confirm the official acts of Henry Ragan, while acting as a justice of the peace;" also "An act for the benefit of the New-York Equitable Insurance Company in the city of New-York;" also "An act to provide for the building of a town hall in the town of Mexico;" also "An act in relation to the police justice in the village of Oswego;" also "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837;" also "An act granting to Horace D. Swan the privilege of establishing and maintaining a ferry across the Allegany river;" also "An act for the relief of Mary Agnes Titus, Elizabeth Titus, Jane Titus, James Henry Titus, Martha Titus, Abiel Titus, Ruth M. Baker, (the wife of John O. Baker,) Ann Eliza Kermit Whitaker, (the wife of Anthony B. A. Whitaker,) and William Philip Dean;" also "An act in relation to the Indians residing on the Cattaraugus and Allegany reservations;" also "An act making an appropriation for the relief of the Mount-Pleasant State Prison, and for other purposes;" also "An act for the relief of Westfall May and others;" also "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh;" also "An act to incorporate the Schenectady and Catskill Railroad Company;" also "An act to incorporate the Albany Gallery of the Fine Arts;" also "An act to authorize Robert R. Morris to erect a dam across Palmer brook, in the town of Westchester, in the county of Westchester;" also "An act relative to the State library;" also "An act for the relief of the German Horse Guards of the city of New-York;" also "An act to

New-York to extend their charter, passed April 21, 1841;" also "An act to amend an act entitled 'An act to incorporate the Great Island Turnpike Company,' passed April 9, 1813;" also "An act to incorporate the Young Men's Association for Mutual Improvement, in the village of Fulton;" also "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America;" also "An act to amend 'An act to incorporate the trustees and associates of the Brooklyn Benevolent Society,' passed May 10, 1845;" also "An act to confirm the title of certain real estate in Lucy Buckner, the widow of James Buckner, late of the county of Montgomery, deceased;" also "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall Turnpike Company,' passed March 30, 1809;" also "An act to revive and continue in force the charter of the Butchers' Benevolent Society in the city of New-York;" also "An act in relation to the assets of the Farmers' Bank of Orleans."

Ordered, That the Clerk deliver said last twenty-nine bills to the Governor.

Mr. Van Schoonhoven moved that the question on the final passage of the bill from the Assembly entitled "An act to equalize taxation," be taken fifteen minutes before 2 o'clock, without debate.

Mr. Folsom moved to lay said motion on the table.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Jones	Mr. Spencer	
Mr. Chamberlain	Mr. Lott	Mr. Wheeler	
Mr. Clark	Mr. J. B. Smith		8

FOR THE NEGATIVE.

Mr. Barlow	Mr. Hand	Mr. S. Smith	
Mr. Beekman	Mr. Hard	Mr. Talcott	
Mr. Beers	Mr. Johnson	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Porter	Mr. Williams	
Mr. Deyo	Mr. Sanford	Mr. Wright	
Mr. Emmons	Mr. Sedgwick		17

Mr. President then put the question on the said first motion, and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Burnham	Mr. Denniston
Mr. Beekman	Mr. Chamberlain	Mr. Deyo

Mr. Johnson	Mr. Sanford	Mr. Williams	14
Mr. Jones	Mr. Sedgwick	Mr. Young	
Mr. Porter	Mr. Van Schoonhoven		

FOR THE NEGATIVE.

Mr. Beers	Mr. Folsom	Mr. S. Smith	9
Mr. Clark	Mr. Hand	Mr. Spencer	
Mr. Emmons	Mr. Lester	Mr. Wright	

After debates on said bill,

Mr. Spencer moved further to postpone the question on the final passage thereof.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. Lott	6
Mr. Clark	Mr. Jones	Mr. Spencer	

FOR THE NEGATIVE.

Mr. Beekman	Mr. Hand	Mr. Sedgwick	17
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Johnson	Mr. Williams	
Mr. Denniston	Mr. Lester	Mr. Wright	
Mr. Deyo	Mr. Porter	Mr. Young	
Mr. Emmons	Mr. Sanford		

Mr. President put the question upon the final passage of the said bill, and was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow:

FOR THE AFFIRMATIVE.

Mr. Barlow	Mr. Deyo	Mr. Sedgwick	15
Mr. Beekman	Mr. Emmons	Mr. Talcott	
Mr. Beers	Mr. Hard	Mr. Van Schoonhoven	
Mr. Burnham	Mr. Johnson	Mr. Williams	
Mr. Denniston	Mr. Lester	Mr. Wright	

FOR THE NEGATIVE.

Mr. Backus	Mr. Jones	Mr. Spencer	11
Mr. Clark	Mr. Lott	Mr. Wheeler	
Mr. Folsom	Mr. Porter	Mr. Young	
Mr. Hand	Mr. Sanford		

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

On motion of Mr. Hand,

The bill from the Assembly entitled "An act in relation to the Clinton State prison," with the engrossed amendments, made by unanimous consent, was read the third time.

Mr. President put the question on the final passage of the said bill and it was decided in the affirmative.

The ayes and nays having been moved and seconded, were as follow :

FOR THE AFFIRMATIVE.

Mr. Backus	Mr. Folsom	Mr. S. Smith
Mr. Barlow	Mr. Hand	Mr. Spencer
Mr. Burnham	Mr. Jones	Mr. Talcott
Mr. Chamberlain	Mr. Lott	Mr. Wheeler
Mr. Clark	Mr. Sanford	Mr. Young
Mr. Emmons	Mr. Sedgwick	

17

FOR THE NEGATIVE.

Mr. Beekman	Mr. Deyo	Mr. Lester
Mr. Beers	Mr. Hard	Mr. J. B. Smith
Mr. Denniston	Mr. Johnson	Mr. Wright

9

Thereupon,

Resolved, That the bill do pass.

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Afterwards,

A message was received from the Assembly informing that they had concurred in said amendments and had amended the bill accordingly.

Said amended bill having been examined,

Ordered, That the Clerk return the same to the Assembly.

A copy of a resolution was received from the Assembly, read and laid on the table, to wit :

Whereas, The legislature of the State of New-York have learned that actual hostilities have been commenced between this country and the republic of Mexico, and that these hostilities have been begun by the armed forces of Mexico, after the utmost forbearance on the part of our government through their commanding officer, General Taylor.

Therefore,

Be it Resolved, By the legislature of the State of New-York, that

the Governor be empowered to enrol a body of fifty thousand men as volunteers, with a view to act in the defence of the State or to proceed to the seat of war to defend the honor and dignity of the country, and that the Governor be hereby authorized at his discretion to order the same on duty, and that the sum of one hundred thousand dollars be, and the same is hereby appropriated to defray the expenses of the same.

On motion of Mr. Jones,

Resolved, That the several committees be discharged from the further consideration of such bills, petitions, and other matters committed to their charge as shall be delivered to the Clerk.

Mr. Jones, from the committee on the division of towns and counties, delivered to the Clerk resolutions of the town of Augusta, remonstrating against the erection of the county of Bronson.

Mr. Barlow, from the committee on manufactures, returned a petition of the citizens of Albany, praying for the repeal of a law authorizing the appointment of a measurer of stone in said city; also a petition of inhabitants of Columbia, in favor of the individual liability of corporators.

Mr. Johnson, from the committee on claims, returned the petition of John Whittlesey for compensation for preserving structures on the Black river; also three several bills from the Assembly entitled "An act for the relief of Aaron Knapp;" also "An act for the relief of Andrew Rockwell;" also "An act for the relief of John E. Van Eps."

Mr. Johnson, from the select committee, of the Second Senate District, returned the bill from the Assembly entitled "An act authorizing the president, directors and company of the western branch of the Schoharie Turnpike Company, to remove their toll gate on the said road in the town of Cobleskill.

Mr. Lott, from the committee on the judiciary, returned the following petitions, of citizens of Albany against capital punishment; also of citizens of Clarendon, Orleans county; also of citizens of Herkimer county; also of Washington county; also of Boonville, Oneida county; also of Montgomery county; also of D. P. Corey and others, for a law authorizing the commencement of actions of ejectment in the same manner as personal actions; also of R. H. Northrop and others, in relation to Albany mayors' court; also of the grand inquest of New-York, for an act in relation to jurors; also of Uriah Johnson and others, praying that the property of married women may be secured to them by law, and a like petition from Darien, Genesee county, and a resolution of instructions relating to expenses of the prosecution in criminal proceedings; and "An act to amend an act entitled 'An act concerning costs and fees in courts of law, and for other purposes,' passed May 14, 1840;" also four several bills from the Assembly with the following titles, to wit: "An act to regulate proceedings in personal actions in case of the death of a sole plaintiff after issue joined," also "An act to establish a court of special sessions in the city of Albany;" also "An act further to amend the act entitled 'An act relating to excise

and to licensing retailers of intoxicating liquors,' passed May 14, 1845;" also "An act to reduce the rate of interest;" also "An act entitled 'An act authorizing the appointment of a police justice to reside in the village of Lockport,' passed March 21, 1840."

Mr. Folsom, from the committee on Indian affairs, returned the remonstrance of sundry Indians, residing on the Oneida reservation, against the passage of a law to bring them under the same regulation as white people.

A message was received from the Governor, informing that he had, on the 12th instant, approved and signed bills of the following titles, to wit: "An act to change the name of the Methodist Episcopal Church at Kingston, and for other purposes;" also "An act for the benefit of the National Fire Insurance Company in the city of New-York;" also "An act to incorporate the village of Ebenezer, in the county of Erie;" also "An act for the relief of George J. E. Lasher;" also "An act to change the name of the Black River Literary and Religious Institute;" also a bill entitled "An act in relation to the appointment of inspectors of hops, fish and oil;" also "An act for the relief of Elizabeth, alias Betsey Ludovick, an Indian woman." Also that he had this day approved and signed the bills entitled as follows: "An act for the relief of Patrick Cooney;" also "An act respecting the town records of the town of Goshen, destroyed by fire;" also "An act to perpetuate evidence of the deaths of Nicolaas Van Staphorst and others;" also "An act in relation to the sinking fund of the Hudson and Berkshire Railroad Company;" also "An act to provide for the construction of a railroad and slack water navigation from or near Port Kent, on Lake Champlain, to Boonville;" also "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837;" also "An act to amend an act entitled 'An act to enable the dispensaries of the city of New-York to extend their benefits,' passed April 21, 1841;" also "An act making an appropriation for the relief of the Mount-Pleasant State Prison, and for other purposes;" also "An act granting to Horace D. Swan the privilege of establishing and maintaining a ferry across the Allegany river;" also "An act to authorize the president and directors of the Seneca Road Company to abandon a part of their road;" also "An act in relation to the assets of the Farmers' Bank of Orleans;" also "An act to confirm the official acts of Henry Ragán, while acting as a justice of the peace;" also "An act for the relief of the German Horse Guards of the city of New-York;" also "An act to provide for the building of a town hall in the town of Mexico;" also "An act in relation to the police justice in the village of Oswego;" also "An act to amend an act entitled 'An act to establish a permanent exterior street or avenue in the city of New-York, along the easterly shore of the North or Hudson river, and for other purposes,' passed April 12, 1837, and to amend an act entitled 'An act creating a public fund or stock in the city of New-York, to be called the Croton water stock, and in relation to the sinking fund of said city,' passed May 13th, 1845;" also "An act for the relief of Mary Agnes Tiut, Elizabeth Tiut, Jane

Titus, James Henry Titus, Martha Titus, Abiel Titus, Ruth M. Baker, (the wife of John O. Baker,) Ann Eliza Kermit Whitaker, (the wife of Anthony B. A. Whitaker,) and William Philip Dean;" also "An act to amend an act entitled 'An act to incorporate the Great Island Turnpike Company,' passed April 9, 1813;" also "An act for the relief of Westfall May and others;" also "An act to divide the town of Westchester, in the county of Westchester;" also "An act for the benefit of the New-York Equitable Insurance Company in the city of New-York;" also "An act to incorporate the Schenectady and Catskill Railroad Company;" also "An act in relation to the Indians residing on the Cattaraugus and Allegany reservations;" also "An act extending the powers of a justice of the peace, as to issuing executions after the term of his office has expired;" also "An act to incorporate the Young Men's Lyceum of the village of Prattsburgh;" also "An act to confirm the title of certain real estate in Lucy Buckner, the widow of James Buckner, late of the county of Montgomery, an alien, deceased;" also "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall Turnpike Company,' passed March 30, 1809;" also "An act relative to the State library;" also "An act to incorporate the New-York and Offing Magnetic Telegraph Association;" also "An act to amend the act entitled 'An act to incorporate the Lackawack and Neversink Turnpike Company,' passed May 7th, 1844;" also "An act to incorporate the Albany Gallery of the Fine Arts;" also "An act to authorize Robert R. Morris to build a dam across Palmer brook, in the town of Westchester, in the county of Westchester;" also "An act to amend 'An act to incorporate the trustees and associates of the Brooklyn Benevolent Society,' passed May 10th, 1845;" also "An act to incorporate the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America;" also "An act to revive and continue in force the charter of the Butchers' Benevolent Society in the city of New-York;" also "An act to incorporate the Young Men's Association for Mutual Improvement, in the village of Fulton."

Mr. Clark moved that the Senate do now proceed to the consideration of executive business.

Mr. President put the question on agreeing to said motion, and it was decided in the negative.

The ayes and nays having been moved and seconded, were as follows:

FOR THE AFFIRMATIVE.

Mr. Chamberlain
Mr. Clark
Mr. Hard

Mr. Jones
Mr. Lott

Mr. Sanford
Mr. Wright

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FOR THE NEGATIVE.

Mr. Backus
Mr. Barlow

Mr. Beckman
Mr. Burnham

Mr. Denniston
Mr. Deyo

Mr. Emmons
Mr. Folsom
Mr. Johnson
Mr. Lester

Mr. Porter
Mr. Sedgwick
Mr. J. B. Smith

Mr. S. Smith
Mr. Talcott
Mr. Young

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On motion of Mr. Jones,

Resolved, That the usual committees be appointed to wait upon the Assembly and the Governor.

The President named, and thereupon,

Ordered, That Mr. Jones and Mr. Hard wait upon the Assembly and inform them that the Senate are ready to adjourn.

Ordered, That Mr. Wright and Mr. Spencer, wait upon the Governor and inform him, that unless he has some further communication to lay before the Legislature, the Senate will adjourn.

Mr. Clark offered the following resolution :

Resolved, That the bill entitled "An act to reduce the expenses of Canal repairs," be made the special order for one quarter after two o'clock, and that the question on the final passage of the bill be taken at ten minutes after without debate.

Mr. Young moved to postpone the said motion indefinitely.

Without taking any question thereon,

A message was received from the Assembly, delivered by Mr. Stevenson and Mr. Hall, informing that they were ready to adjourn.

Mr. Jones reported that Mr. Hard and himself, had waited upon the Assembly, and delivered the message of the Senate.

Mr. Wright reported, that Mr. Spencer and himself, had waited on the Governor and delivered the message of the Senate, to which his Excellency was pleased to say, that he had no further communication to make to the Legislature.

Thereupon,

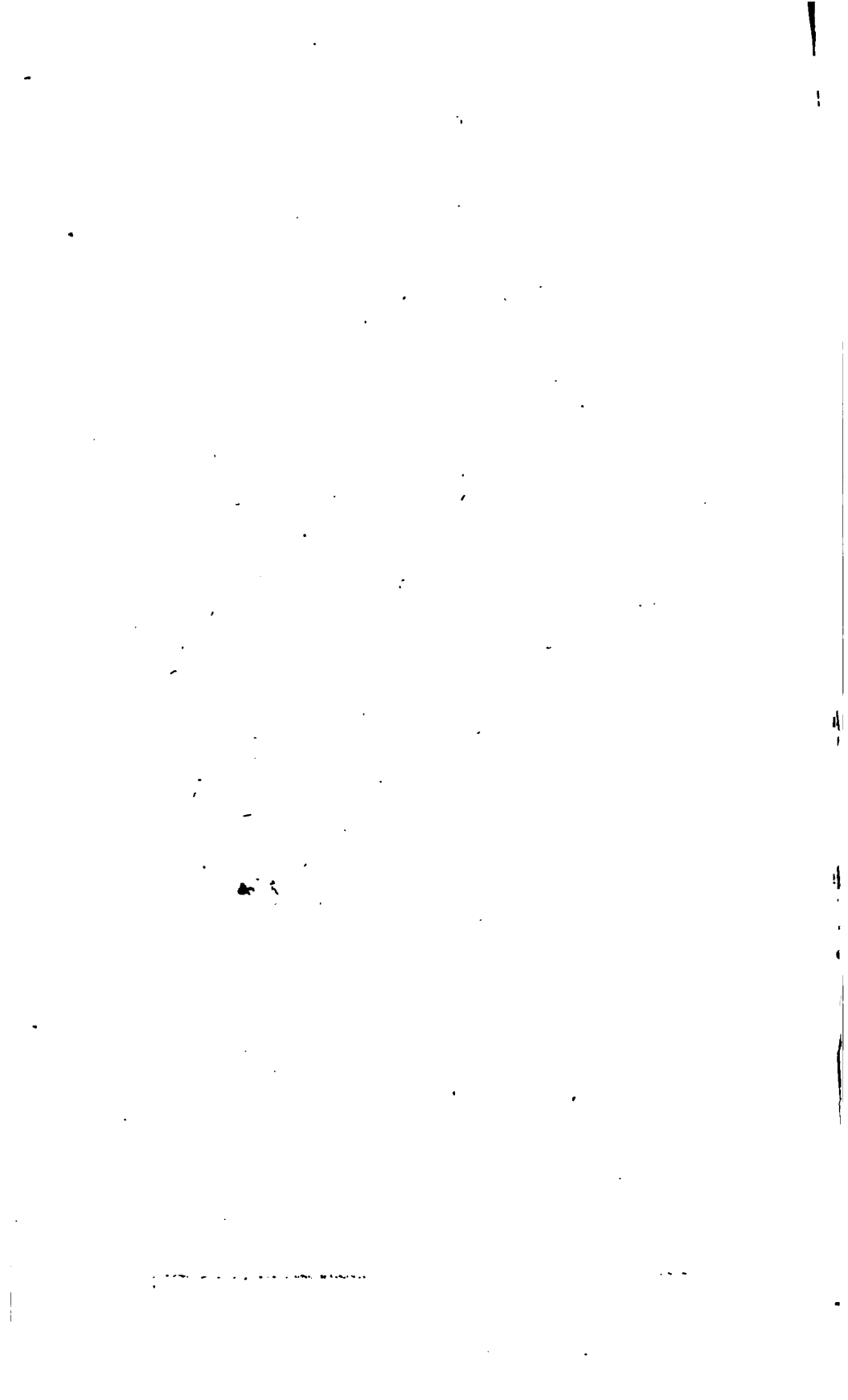
The President pro. tem. adjourned the Senate without day.

SENATE CHAMBER, May 13, 1846.

The minutes of yesterday and to day examined and approved.

A. GARDINER, *President*.

ISAAC R. ELWOOD, *Clerk*.



LIST OF BILLS

SENT TO THE SENATE FOR CONCURRENCE BY THE
ASSEMBLY, AND NOT PASSED BY THE SENATE.

Assembly Bills reported, on adversely.

- An act to confirm the election and official acts of the town officers of the town of Clinton, in the county of Clinton, and for other purposes.
- An act providing for proceedings in justices' courts, against persons not residing in this State.
- An act to authorize the board of town officers of Fishkill, Dutchess county, to appropriate certain moneys.
- An act to authorize E. G. Rawson Smith to change his name.
- An act to amend the Revised Statutes, so as to authorize the discharge of persons imprisoned for costs only.
- An act for the relief of Livingston Schuyler.
- An act to provide for the sale of lands for taxes hereafter assessed, in the counties where such lands are situated.
- An act authorizing the trustees of the Presbyterian Congregational Society of the town of Northeast to convey certain real estate.
- An act to vest the title to certain lands in the trustees of the First Universalist Society in the town of Busti.
- An act to authorize the justices of the peace of the town of Laurens, in the county of Otsego, to appoint the place for holding the special town meeting.
- An act for the relief of Lorenzo Bates.
- An act to incorporate a fire company at Malta, in the county of Dutchess.
- An act to amend an act regulating the inspection of hops.
- An act to limit the period of service in the fire department in the village of Binghamton.
- An act to authorize the appointment of a supreme court commissioner to reside at Schuylerville, in the county of Saratoga, and for other purposes.
- An act to authorize the Reformed Sanctity Church in Germantown, Columbia county, to sell part of their real estate.

- An act authorizing the sixth principle Baptist Society of the town of Brookfield, to sell their meeting house lot.**
- An act authorizing overseers of highways to construct side-walks and plant or set out trees along the side of highways.**
- An act for the relief of John Reynolds.**
- An act for the relief of Daniel H. Deleslie.**
- An act in relation to the assessment and collection of taxes.**
- An act to provide for draining certain lands in the town of Black Rock.**
- An act authorizing a loan from the common school fund to the county of Orleans, for the purpose of building a bridge across Oak Orchard Creek at Medina, in the town of Ridgway.**
- An act for the relief of George Wheeler and others.**
- An act for the relief of certain owners of land in Lockport, in the county of Niagara.**
- An act in relation to writs of error.**
- An act to confirm certain official acts of the commissioners of highways in the town of Pembroke.**
- An act to provide for the appointment of a supreme court commissioner to reside at Rensselaerville.**
- An act to revive and continue in force the act entitled "An act to incorporate the Cherry-Valley Mutual Insurance Company, passed April 12, 1842, and for other purposes."**
- An act to amend an act entitled "An act concerning the district attorney of the county of Oneida, passed May 10, 1845."**
- An act to amend the Revised Statutes so as to authorize executors and administrators to compromise debts due to them from insolvent debtors.**
- An act to amend section eighteen of the title six, chapter nine and part one of the Revised Statutes.**
- An act to amend and extend the provisions of the act entitled "An act in relation to the Seventh Day Baptists, passed May 7, 1839."**
- An act authorizing Elisha Powell, George H. Benham and Lansing Clute, members of the Presbyterian Society of the town of Milton, in the county of Saratoga, to convey certain real estate.**
- An act to erect the town of Gilbertsville, in the county of Otsego.**
- An act to subject to taxation certain debts owing to non-residents of the United States.**
- An act to authorize the trustees of the Second Baptist Church of Dover, in the county of Dutchess, to sell their parsonage house and lot.**
- An act concerning the district attorney of the county of Jefferson.**
- An act for the appointment of a supreme court commissioner to reside at Hornellsville.**
- An act to authorize the inhabitants of the town of Poughkeepsie, to elect path masters in their several road districts.**
- An act to authorize the canal commissioners to increase the size of the side lock at the village of Tonawanda, when rebuilding the same.**

Assembly bills reported for the consideration of the Senate.

- An** act to enable the trustees of school districts to obtain title to land for the site of school houses.
- An** act in relation to the support of the poor.
- An** act to prevent cheats and frauds at auction.
- An** act for the safe keeping and to provide a time for the distribution of the gospel and school fund money, in the several towns in the county of Cortland.
- An** act authorizing the board of supervisors of the county of Cayuga, to restore the distinction between town and county poor.
- An** act to repeal 'An act to authorize and require the trustees of joint school district number fourteen of Clay and Cicero, to levy and collect a tax for the relief of Hiram M. Wright and Joseph Rec-tor, passed April 7, 1845.'
- An** act to erect the county of Canisteo.

Assembly Bills reported upon favorably, without amendment.

- An** act to amend an act entitled "An act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842."
- An** act to authorize the election of three supervisors in the city of Utica.
- An** act to reduce the expenses of canal repairs.
- An** act to authorize the Schenectady and Troy Railroad Company to extend their road from the city of Schenectady, on the south side of the Mohawk river, to the city of Utica.
- An** act to provide for the support of the poor in the county of Otsego, in and by the towns in the said county in which such poor shall have settlements.
- An** act in relation to the office of town superintendent of common schools.
- An** act to prohibit shooting on the ponds in the village of Richburgh, county of Allegany.
- An** act authorizing the board of supervisors of the county of Allegany to restore the distinction between county and town poor, and for other purposes.
- An** act to authorize the supervisors of the county of Dutchess to sell their poor house and farm.
- An** act to abolish the office of superintendents of the poor in and for the county of Tioga, and for other purposes.
- An** act authorizing the board of supervisors of the county of Franklin to restore the distinction between county and town poor.
- An** act for the relief of the trustees of Onondaga county.

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- An act to continue in force an act entitled "An act to encourage the growth and manufacture of silk, passed May 26, 1841."
 - An act to change the name of Michael Hare to Martin Hare.
 - An act to amend chapter two hundred and seventy-nine of the Laws of 1844.
 - An act to change the name of Charles Miller to Charles Miller Suncenberg.
 - An act to prevent horse racing and trotting matches on any of the several roads, streets or avenues in the city of New-York.
 - An act to punish seduction and adultery, and for other purposes.
-

Assembly bills reported upon favorably with amendments.

- An act to reduce the fees of certain officers, and for other purposes.
 - An act in relation to the State Prisons at Auburn and Mount-Pleasant.
 - An act appointing a commissioner to transcribe certain mortgages for loans in Tioga county.
 - An act to confirm the election and official acts of the town officers of the town of Ellenburgh, in the county of Clinton, and for other purposes.
 - An act in relation to the office of district attorney in the county of Broome.
 - An act to amend an act entitled "An act to incorporate the village of Weedsport.
 - An act for the relief of Abial Payne.
 - An act to change the name of Mary E. Noyes, and to declare her the heir at law of Ogden Donington.
 - An act to amend the statutes of devises and descent, and to extinguish certain tenures.
-

Assembly bills not reported on.

- An act authorizing the president, directors and company of the western branch of the Schoharie Turnpike Company, to remove their toll gate, on said road in the town of Cobleskill.
- An act for the relief of John E. Van Eps.
- An act for the relief of Andrew Rockwell.
- An act for the relief of Aaron Knapp.
- An act for the relief of the heirs of Thomas Mott.

- An act to continue in force the act incorporating the ancient Britons Benefit Society in the village, now city of Utica.**
An act to incorporate the Emmet Mutual Benefit and Benevolent Society of New-York.
An act to regulate proceedings in personal actions in case of the death of a sole plaintiff after issue joined.
An act establishing a court of special sessions in the city of Albany.
An act to amend an act entitled "An act authorizing the appointment of a police justice to reside in the village of Lockport," passed March 21, 1846.
An act to reduce the rates of interest.
An act further to amend the act entitled "An act relating to excise and to licensing retailers of intoxicating liquors," passed May 14, 1845.
-

Assembly bills ordered to a third reading with amendments.

- An act to amend "An act to incorporate the Black River annual conference," passed April 17, 1841.**
An act to incorporate the Albany Trust and Saving's Bank.
An act to authorize the supervisors of the county of Schoharie, to levy a tax upon the town of Carlisle, for the relief of James Dana, William Young and David A. Richtmeyer.
An act to incorporate the village of Baldwinsville, in the county of Onondaga.
An act for the benefit of the New-York Contributionship Insurance Company.
An act for the relief of William A. Mills and Hezekiah Johnson.
An act in relation to the Marine Hospital and its funds.
An act for the relief of Jonas A. Hughston.
An act for the relief of Storm Haight, John Blood and Asa W. Cady.
An act to regulate bank issues.
-

Assembly bills ordered to a third reading without amendment.

- An act relative to the village of Medina.**
An act to amend an act entitled "An act to abolish the office of bank commissioner and for other purposes," passed April 18, 1843.
An act for the relief of Rosel and Charles Blackman, William Smith, Morrison Rollo, and Wiburt & Sanford.
An act for draining Jacobus Vly.

- An act to amend an act entitled "An act to incorporate the Mutual Insurance Company of Buffalo, passed April 18, 1843, and for other purposes."
- An act to repeal "An act for the preservation of fish in the Hudson river," passed March 22, 1845.
- An act to incorporate the Pine Wood Cemetery.
- An act for the relief of the owners of the land adjoining the bed of the old Erie canal, near the village of Cohoes.
- An act to provide for destroying Canada thistles and other noxious weeds, along the several railroads of this State.
- An act to amend the act entitled "An act for the better security of mechanic's and others erecting buildings and furnishing materials in this State, (except the city of New-York,) and in the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn," passed May 7, 1844.
- An act to confirm the official acts of John D. Landon, as justice of the peace.
- An act to provide for the erection of a town house in the town of Darien, in the county of Genesee.
- An act for the relief of Malcomb N. Hawkins.
- An act to revive an act passed April 15th, 1839, in relation to Washington's Head Quarters in the village of Newburgh.
- An act for the relief of A. Seymour, William Coffin, Richard Savage and Wm. L. Harrison.
- An act for the more equal assessment of highway labor in the villages of Syracuse, Salina, Geddes and Liverpool, and in the town of Salina.
- An act to change the name of Catharine P. Moffitt to Catharine P. Starkey.
- An act to regulate the fees of town collectors of taxes, and for other purposes.
- An act to incorporate the Thistle Benevolent Association of the city of New-York.
- An act relative to a bridge across the Roeliff Jansen's creek, in the county of Columbia.
- An act to amend the charter of the German Evangelical Society in the county of Herkimer, and to confirm the official act of John Dygert, commissioner of deeds, in taking the acknowledgment of the certificate and act of incorporation.
- An act to authorize Casper C. Childs to erect a dock adjoining his land on the Hudson river, in the village of Peekskill, county of Westchester.
- An act to preserve fish in the lake or pond known as the Byron pond, in the towns of Bedford and North Castle, in Westchester county.
- An act to incorporate the Guilford Centre Woollen Manufacturing Company.
- An act to authorize the construction of a plank road from Glen's Falls to Caldwell, in the county of Warren.
- An act to incorporate the Long Island Horticultural Society.
- An act to annex a part of lot number fifty-one, in the town of Harford, to the town of Virgil, in the county of Cortland.

- An act to annex a part of the town of York to the town of Leicester.**
- An act to incorporate Cortland village.**
- An act in relation to the city of Troy.**
- An act to amend an act entitled "An act to vest certain powers in the freeholders and inhabitants of the village of Cherry-Valley, in the county of Otsego," passed June 8, 1802.**
- An act to amend an act entitled "An act vesting certain powers in the freeholders and inhabitants of the village of Waterford, passed March 28th, 1805, and for other purposes."**
- An act to amend the law in relation to excise, and the regulation of taverns and groceries.**
- An act to provide for building a bridge across the Batten-Kill, near the residence of Hiram Clark, in the town of Greenwich.**
- An act to incorporate the village of New-London.**
- An act to amend the acts relative to the village of Liverpool.**
- An act to incorporate the German Hebrew Benevolent Society in the city of New-York.**
- An act for the relief of George W. Hildreth and others.**
- An act to provide for the construction of a railroad from Albany to Cohoes, and Waterford.**
- An act to provide for the compensation of jurors in the city and county of New-York.**
- An act to incorporate the Boonville and Western Turnpike Company.**
- An act to amend "An act to incorporate the Kings County Mutual Insurance Company," passed April 15, 1844.**
- An act to provide for the levying a tax in the town of Parishville, to build a town house.**
- An act to provide for levying a tax in the town of Pierrepont, to build a town house.**
- An act to incorporate the Schenectady Cemetery Association.**
- An act to incorporate the Lyons Cemetery Association.**
- An act to amend an act entitled "An act to incorporate the Port Ontario Bridge Company," passed May 14, 1845.**
- An act to incorporate the S. S. Seward Institute.**
- An act for the relief of John Whitehead.**
- An act to amend and revive an act entitled "An act to incorporate the Utica and Susquehannah Railroad Company, passed April 25th, 1832.**
- An act to authorize the construction of a railroad from Syracuse to Rochester.**
- An act to amend the act entitled "An act to authorize the construction of a plank road from the city of Buffalo, in the county of Erie, to the village of Batavia, in the county of Genesee," passed May 7, 1844.**
- An act in relation to the Brooklyn City Hospital.**
- An act to consolidate the act entitled "An act to incorporate the city of Brooklyn, passed April 8, 1834," and the various acts amendatory thereof.**

SENATE BILLS.

Bills which passed the Senate and were sent to the Assembly, but which were not finally acted on.

An act to revive and amend an act entitled "An act to incorporate the Phoenix Bridge Company," passed April 17, 1830.

An act for the relief of Claudius C. Becket, an alien.

An act to incorporate the Board of Foreign Missions of the Presbyterian Church of the United States of America.

An act in relation to common schools in the village of Rome.

An act to amend an act concerning attachments against absconding, concealed and non-resident debtors.

An act for the cancelment of decrees made by surrogates.

An act in relation to the loans of the year 1792.

An act to change the name of the Second Associate Reformed Church in the city of New-York.

An act declaring a part of a branch of the Hudson river, known as Trout brook, a public highway.

An act for the relief of school district number eleven, in the town of Otselic, Chenango county.

An act to incorporate the German Washington Society of the city and county of New-York.

An act to change the time of the annual meetings of the board of supervisors of Oswego county.

An act confirming the classification of certain justices of the peace in the county of Jefferson.

An act to prevent frauds in inspections in the county of Erie.

An act in relation to discoveries at law, the taking of testimony of witnesses out of this State, bail in error, and suits against foreign corporations.

An act for the relief of John Ferris, Thomas Marvin and Charles R. Hopper.

An act in addition to an act entitled "An act to amend an act entitled 'An act to reduce several laws relating particularly to the city of New-York, into one act.'"

An act to revive and continue the New-York Typographical Society.

An act to confirm the official acts of Albert Morse, a justice of the peace.

An act in relation to actions against railroad corporations.

An act to incorporate the North Blenheim and Broome Turnpike Company.

An act to provide for the payment of services rendered as district attorney in certain cases under an appointment by the court.

An act to amend an act passed April 25, 1832, entitled "An act regulating suits on bills of exchange and promissory notes.

An act for the relief of Silas Marsh, Alexander Liddle and Brittain T. Head, late trustees of school district number eight, in the town of Duaneburgh.

An act concerning the New-York Bible and Common Prayer Book Society.

An act in relation to railroad corporations.

An act in relation to the service and publication of notices and the publication of the Session Laws.

An act to incorporate the Bainbridge Central Bridge Company.

An act authorizing and regulating a ferry across Lake Champlain, at Westport, in the county of Essex.

An act to authorize the county clerks to procure new indexes in certain cases for the books of records of deeds and mortgages.

An act in relation to the Natural History of the State.

An act to incorporate the Rondout Bridge Company.

An act authorizing a tax upon the town of Wilna, Jefferson county.

An act in relation to sick and disabled seamen.

An act regulating the speed of steamboats whilst passing certain villages on the Hudson river.

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